

**Executive Summary – Enforcement Matter – Case No. 41233**  
**ExxonMobil Oil Corporation**  
**RN102450756**  
**Docket No. 2011-0374-AIR-E**

**Order Type:**

1660 Agreed Order

**Findings Order Justification:**

N/A

**Media:**

AIR

**Small Business:**

No

**Location(s) Where Violation(s) Occurred:**

ExxonMobil Beaumont Refinery, 1795 Burt Street, Beaumont, Jefferson County

**Type of Operation:**

Petroleum refinery

**Other Significant Matters:**

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

**Texas Register Publication Date:** July 22, 2011

**Comments Received:** No

***Penalty Information***

**Total Penalty Assessed:** \$10,000

**Amount Deferred for Expedited Settlement:** \$2,000

**Amount Deferred for Financial Inability to Pay:** \$0

**Total Paid to General Revenue:** \$4,000

**Total Due to General Revenue:** \$0

Payment Plan: N/A

**SEP Conditional Offset:** \$4,000

Name of SEP: Southeast Texas Regional Planning Commission - Southeast Texas

Regional Air Monitoring Network Ambient Air Monitoring Station

**Compliance History Classifications:**

Person/CN - Average

Site/RN - Average

**Major Source:** Yes

**Statutory Limit Adjustment:** Statutory Maximum Limit Adjustment \$6,425

**Applicable Penalty Policy:** September 2002

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***Investigation Information***

**Complaint Date(s):** N/A

**Complaint Information:** N/A

**Date(s) of Investigation:** January 5, 2011, January 14, 2011, March 2 through 10, 2011

**Date(s) of NOE(s):** February 10, 2011 and April 26, 2011

***Violation Information***

Failed to comply with the sulfur dioxide ("SO<sub>2</sub>") allowable hourly emission rate. Specifically, on October 17, 2009, the Respondent exceeded the SO<sub>2</sub> hourly emission rate of 22.01 pounds per hour ("lbs/hr") for two hours at Heater 3101, Emissions Point Number ("EPN") 05STK\_001, exceeded the SO<sub>2</sub> hourly emission rate of 2.80 lbs/hr for two hours at Heater B-7001, EPN28STK\_001, exceeded the SO<sub>2</sub> hourly emission rate of 1.10 lbs/hr for two hours at Heater B-7201, EPN 28STK\_003, exceeded the SO<sub>2</sub> hourly emission rate of 0.65 lb/hr for one hour at Furfural 1B-2-A Heater, EPN 38STK\_002 and exceeded the SO<sub>2</sub> hourly emission rate of 0.89 lb/hr for one hour at Furfural 1B-1 Heater, EPN 38STK\_001. The exceedances resulted in the release of 53.74 lbs of SO<sub>2</sub> emissions [30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c), 122.143(4) and 101.20(3), Federal Operating Permit ("FOP") No. O-01998, Special Terms and Conditions ("STC") No. 14, Air Permit No. 19566, PSD-TX-768M1 and PSD-TX-932, Special Conditions ("SC") No. 1, FOP No. O-02040, STC No. 12, Air Permit No. 49134, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b)].

***Corrective Actions/Technical Requirements***

**Corrective Action(s) Completed:**

The Executive Director recognizes that on March 2, 2011, the Respondent developed a rule in their Real Time Advisory Program that monitors gas flow rates that will alert console operators of changing conditions and provide the proper actions to take in order to prevent incidents of the same cause and ensure compliance with the SO<sub>2</sub> allowable emission rate.

**Technical Requirements:**

The Order will require the Respondent to implement and complete a Supplemental Environmental Project ("SEP"). (See SEP Attachment A)

***Litigation Information***

**Date Petition(s) Filed:** N/A

**Date Answer(s) Filed:** N/A

**SOAH Referral Date:** N/A

**Hearing Date(s):** N/A

**Settlement Date:** N/A

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**ExxonMobil Oil Corporation**  
**RN102450756**  
**Docket No. 2011-0374-AIR-E**

***Contact Information***

**TCEQ Attorney:** N/A

**TCEQ Enforcement Coordinator:** Raymond Marlow, P.G., Enforcement Division, Enforcement Team 5, MC R-10, (409) 899-8785; Debra Barber, Enforcement Division, MC 219, (512) 239-0412

**TCEQ SEP Coordinator:** Phillip Hampsten, SEP Coordinator, Enforcement Division, MC 219, (512) 239-6732

**Respondent:** Daniel Risso, Refinery Manager, ExxonMobil Oil Corporation, P.O. Box 3311, Beaumont, Texas 77704

**Respondent's Attorney:** N/A

Attachment A  
Docket Number: 2011-0374-AIR-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

<b>Respondent:</b>	<b>ExxonMobil Oil Corporation</b>
<b>Payable Penalty Amount:</b>	<b>Eight Thousand Dollars (\$8,000)</b>
<b>SEP Amount:</b>	<b>Four Thousand Dollars (\$4,000)</b>
<b>Type of SEP:</b>	<b>Pre-approved</b>
<b>Third-Party Recipient:</b>	<b>Southeast Texas Regional Planning Commission -Southeast Texas Regional Air Monitoring Network Ambient Air Monitoring Station</b>
<b>Location of SEP:</b>	<b>Jefferson County</b>

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

**A. Project**

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to the **Southeast Texas Regional Planning Commission** to be used for the *Meteorological and Air Monitoring Network* as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to operate, maintain, and potentially expand the existing Southeast Texas Regional Air Monitoring Network which includes nine monitoring stations currently at the following locations:

1. Beaumont CAM#2
2. Cove School CAM #C695
3. Mauriceville CAM#642
4. Port Arthur (Motiva) Industrial Site CAM #C628
5. Port Arthur Memorial High School campus CAM #C689
6. Port Neches CAM #136
7. Sabine Pass CAM #C640
8. Southeast Texas Regional Airport CAM #C643

9. West Orange CAM #C9

The pollutants currently monitored at each station are identified in Table 1.1 of the agreement between the Third-Party Recipient and the TCEQ. Additional parameters or monitoring sites may, contingent upon available funding and approval of TCEQ, be added. Operation and maintenance of the ambient air monitoring stations includes canister sampling and gas chromatographs. Ancillary equipment includes sample conditioning systems, meteorological towers, climate controlled equipment shelters, a remote communications system, and electronic data logging capability. Ambient monitoring protocols have been and will continue to conform to applicable TCEQ or U.S. Environmental Protection Agency guidelines.

A TCEQ-approved Quality Assurance Project Plan containing all applicable EPA QA-R5 elements shall be maintained. Analysis of all data collected from these sites will comply with Standard Operating Procedures for the analysis and measurement of Volatile Organic Compounds in Ambient Air. The laboratory data generated by this project will be from a TCEQ accredited laboratory in compliance with state laws and rules regarding use of certified or accredited testing laboratories. For example, the Third-Party Recipient must comply with 30 Texas Administrative Code, Chapter 25, Subchapter A, relating to Environmental Testing Laboratory Accreditation and Certification, as amended.

The SEP Offset Amount will be used to purchase equipment (such as automated canister samplers), hardware, software, and licenses to enable the monitoring, and for the cost of operating, maintaining, and periodically upgrading or adding to these air monitoring stations along with ancillary equipment approved by TCEQ. The data will be validated and sent to TCEQ's Leading Environmental Analysis and Display (LEADS) system. All costs associated with the collection, transfer, and formatting of these data to be compatible with the LEADS system is the responsibility of the Third-Party Recipient. No portion of the SEP Offset Amount will be used for administrative costs or salaries of the Third-Party Recipient. The Third-Party Recipient may use contractors to perform the monitoring project, subject to special conditions concerning costs.

The project will be administered in accordance with federal, state, and local environmental laws and regulations. The Respondent certifies that there is no prior commitment to make this contribution and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

Particulate matter (PM), sulfides (SO, SO<sub>2</sub>), oxides of nitrogen (NO<sub>x</sub>), volatile organic carbon (VOC) compounds, and ambient air conditions are measured at the stations and the data are made accessible to TCEQ and the public. Sites may also provide continuous assessment of benzene, 1, 3-butadiene and styrene. This monitoring was not previously

ExxonMobil Oil Corporation  
Agreed Order – Attachment A

covered by existing ambient air monitoring systems. The data is shared with the Texas Commission on Environmental Quality, industry, and the public at [http://www.tceq.state.tx.us/cgi-bin/compliance/monops/site\\_info.pl](http://www.tceq.state.tx.us/cgi-bin/compliance/monops/site_info.pl).

Continued monitoring in this area of the community will help better understand air quality pollutants and will enable better identification of emission sources. The data will focus on specific chemicals that may raise air quality concerns.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Southeast Texas Regional Planning Commission  
Bob Dickinson, Director Transportation and Environmental  
Resources  
Attention: SEP -  
South East Texas Regional Planning Commission  
2210 Eastex Freeway, Beaumont, TX 77703

**3. Records and Reporting**

Concurrent with the payment of the SEP amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division  
Attention: SEP Coordinator, MC 219  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

#### **4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality  
Office of Legal Services  
Attention: SEP Coordinator, MC 175  
P.O. Box 13088  
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the Enforcement Division SEP Coordinator at the address in Section 3 above.

#### **5. Publicity**

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

#### **6. Clean Texas Program**

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

#### **7. Other SEPs by TCEQ or Other Agencies**

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision October 30, 2008

TCEQ

<b>DATES</b>	<b>Assigned</b>	2-May-2011	<b>Screening</b>	4-May-2011	<b>EPA Due</b>	27-Jan-2012
	<b>PCW</b>	9-Jun-2011				

## RESPONDENT/FACILITY INFORMATION

<b>Respondent</b>	ExxonMobil Oil Corporation				
<b>Reg. Ent. Ref. No.</b>	RN102450756				
<b>Facility/Site Region</b>	10-Beaumont		<b>Major/Minor Source</b>	Major	

## CASE INFORMATION

<b>Enf./Case ID No.</b>	41233	<b>No. of Violations</b>	1
<b>Docket No.</b>	2011-0374-AIR-E	<b>Order Type</b>	1660
<b>Media Program(s)</b>	Air	<b>Government/Non-Profit</b>	No
<b>Multi-Media</b>		<b>Enf. Coordinator</b>	Raymond Marlow, P.G.
		<b>EC's Team</b>	Enforcement Team 5
<b>Admin. Penalty \$ Limit Minimum</b>	\$0	<b>Maximum</b>	\$10,000

## Penalty Calculation Section

<b>TOTAL BASE PENALTY (Sum of violation base penalties)</b>	<b>Subtotal 1</b>	\$2,500
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## ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the Indicated percentage.

<b>Compliance History</b>	567.0% Enhancement	<b>Subtotals 2, 3, &amp; 7</b>	\$14,175
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**Notes** Enhancement for 21 NOVs with same/similar violations, 20 NOVs with dissimilar violations, 14 orders with denial of liability, and six orders without denial of liability. Reduction for two Notice of Audit letters submitted and three disclosures of violations.

<b>Culpability</b>	No	0.0% Enhancement	<b>Subtotal 4</b>	\$0
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**Notes** The Respondent does not meet the culpability criteria.

<b>Good Faith Effort to Comply Total Adjustments</b>	<b>Subtotal 5</b>	\$250
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<b>Economic Benefit</b>	0.0% Enhancement*	<b>Subtotal 6</b>	\$0
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Total EB Amounts \$69  
Approx. Cost of Compliance \$1,000  
\*Capped at the Total EB \$ Amount

<b>SUM OF SUBTOTALS 1-7</b>	<b>Final Subtotal</b>	\$16,425
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<b>OTHER FACTORS AS JUSTICE MAY REQUIRE</b>	0.0%	<b>Adjustment</b>	\$0
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Reduces or enhances the Final Subtotal by the Indicated percentage.

**Notes**

<b>Final Penalty Amount</b>	\$16,425
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<b>STATUTORY LIMIT ADJUSTMENT</b>	<b>Final Assessed Penalty</b>	\$10,000
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<b>DEFERRAL</b>	20.0% Reduction	<b>Adjustment</b>	-\$2,000
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Reduces the Final Assessed Penalty by the Indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)

**Notes**

Deferral offered for expedited settlement.

<b>PAYABLE PENALTY</b>	\$8,000
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Screening Date 4-May-2011

Docket No. 2011-0374-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 41233

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102450756

Media [Statute] Air

Enf. Coordinator Raymond Marlow, P.G.

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action ( <i>number of NOVs meeting criteria</i> )	21	105%
	Other written NOVs	20	40%
Orders	Any agreed final enforcement orders containing a denial of liability ( <i>number of orders meeting criteria</i> )	14	280%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	6	150%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government ( <i>number of judgements or consent decrees meeting criteria</i> )	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government ( <i>number of counts</i> )	0	0%
Emissions	Chronic excessive emissions events ( <i>number of events</i> )	0	0%
Audits	Letters notifying the executive director of an Intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which notices were submitted</i> )	2	-2%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 ( <i>number of audits for which violations were disclosed</i> )	3	-6%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 567%

## &gt;&gt; Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

## Compliance History Notes

Enhancement for 21 NOVs with same/similar violations, 20 NOVs with dissimilar violations, 14 orders with denial of liability, and six orders without denial of liability. Reduction for two Notice of Audit letters submitted and three disclosures of violations.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 567%

Screening Date 4-May-2011

Docket No. 2011-0374-AIR-E

PCW

Respondent ExxonMobil Oil Corporation

Policy Revision 2 (September 2002)

Case ID No. 41233

PCW Revision October 30, 2008

Reg. Ent. Reference No. RN102450756

Media [Statute] Air

Enf. Coordinator Raymond Marlow, P.G.

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 116.115(b)(2)(F) and (c), 122.143(4) and 101.20(3), Federal Operating Permit No. ("FOP") O-01998, Special Terms and Conditions ("STC") No. 14, Air Permit No. 19566, PSD-TX-768M1 and PSD-TX-932, Special Conditions ("SC") No. 1, and FOP No. O-02040, STC No. 12, Air Permit No. 49134, SC No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with the sulfur dioxide ("SO<sub>2</sub>") allowable hourly emission rate. Specifically, on October 17, 2009, the Respondent exceeded the SO<sub>2</sub> hourly emission rate of 22.01 pounds per hour ("lbs/hr") for two hours at Heater 3101, Emissions Point Number ("EPN") 05STK\_001; exceeded the SO<sub>2</sub> hourly emission rate of 2.80 lbs/hr for two hours at Heater B-7001, EPN 28STK\_001; exceeded the SO<sub>2</sub> hourly emission rate of 1.10 lbs/hr for two hours at Heater B-7201, EPN 28STK\_003; exceeded the SO<sub>2</sub> hourly emission rate of 0.65 lb/hr for one hour at Furfural 1B-2A Heater, EPN 38STK\_002 and exceeded the SO<sub>2</sub> hourly emission rate of 0.89 lb/hr for one hour at Furfural 1B-1 Heater, EPN 38STK\_001. The exceedances resulted in the release of 53.74 lbs of SO<sub>2</sub> emissions.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to an insignificant amount of pollutants that do not exceed levels protective of human health or environmental receptors.

Adjustment \$7,500

\$2,500

## Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	X
semiannual	
annual	
single event	

Violation Base Penalty \$2,500

One quarterly event is recommended based on the exceedances that occurred on October 17, 2009.

## Good Faith Efforts to Comply

10.0% Reduction

\$250

Before NOV NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

N/A

(mark with x)

Notes

The corrective actions were completed on March 2, 2011, after the February 10, 2011 NOE and before the settlement offer.

Violation Subtotal \$2,250

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$69

Violation Final Penalty Total \$16,425

This violation Final Assessed Penalty (adjusted for limits) \$10,000

# Economic Benefit Worksheet

Respondent ExxonMobil Oil Corporation  
 Case ID No. 41233  
 Reg. Ent. Reference No. RN102450756  
 Media Air  
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount  
 Item Description No commas or \$

## Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)	\$1,000	17-Oct-2009	2-Mar-2011	1.37	\$69	\$69

Notes for DELAYED costs

Estimated expense to implement measures and procedures to ensure compliance with the SO2 allowable emission rate. The Date Required is the date of the exceedances. The Final Date is the date of compliance.

## Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.00	\$0	\$0	\$0
Personnel			0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.00	\$0	\$0	\$0
Supplies/equipment			0.00	\$0	\$0	\$0
Financial Assurance [2]			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$69

## Compliance History

Customer/Respondent/Owner-Operator:	CN600920748 ExxonMobil Oil Corporation	Classification: AVERAGE	Rating: 3.49
Regulated Entity:RN102450756	EXXONMOBIL BEAUMONT REFINERY	Classification: AVERAGE	Site Rating: 17.49

ID Number(s):		50139
	INDUSTRIAL AND HAZARDOUS WASTE PERMIT	
	INDUSTRIAL AND HAZARDOUS WASTE EPA ID	TXD990797714
	INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR)	30587
	AIR NEW SOURCE PERMITS REGISTRATION	93383
	AIR NEW SOURCE PERMITS REGISTRATION	93721
	AIR NEW SOURCE PERMITS REGISTRATION	93629
	AIR NEW SOURCE PERMITS REGISTRATION	94048
	AIR NEW SOURCE PERMITS REGISTRATION	93639
	AIR NEW SOURCE PERMITS REGISTRATION	93623
	AIR NEW SOURCE PERMITS REGISTRATION	93761
	AIR NEW SOURCE PERMITS REGISTRATION	93474
	AIR NEW SOURCE PERMITS REGISTRATION	93764
	AIR NEW SOURCE PERMITS REGISTRATION	93578
	AIR NEW SOURCE PERMITS REGISTRATION	93964
	AIR NEW SOURCE PERMITS REGISTRATION	94027
	AIR NEW SOURCE PERMITS REGISTRATION	93475
	AIR NEW SOURCE PERMITS REGISTRATION	93762
	AIR NEW SOURCE PERMITS REGISTRATION	93477
	AIR NEW SOURCE PERMITS REGISTRATION	93570
	AIR NEW SOURCE PERMITS REGISTRATION	93767
	AIR NEW SOURCE PERMITS REGISTRATION	93478
	AIR NEW SOURCE PERMITS REGISTRATION	94804
	AIR NEW SOURCE PERMITS REGISTRATION	94612
	AIR NEW SOURCE PERMITS REGISTRATION	94425
	AIR NEW SOURCE PERMITS REGISTRATION	94564
	AIR NEW SOURCE PERMITS REGISTRATION	94341
	AIR NEW SOURCE PERMITS REGISTRATION	92674
	AIR NEW SOURCE PERMITS REGISTRATION	93188
	AIR NEW SOURCE PERMITS REGISTRATION	93142
	AIR NEW SOURCE PERMITS REGISTRATION	92299
	AIR NEW SOURCE PERMITS REGISTRATION	92106
	AIR NEW SOURCE PERMITS REGISTRATION	92539
	AIR NEW SOURCE PERMITS REGISTRATION	92401

AIR NEW SOURCE PERMITS	REGISTRATION	93199
AIR NEW SOURCE PERMITS	REGISTRATION	92399
AIR NEW SOURCE PERMITS	REGISTRATION	91602
AIR NEW SOURCE PERMITS	REGISTRATION	93090
AIR NEW SOURCE PERMITS	REGISTRATION	93179
AIR NEW SOURCE PERMITS	PERMIT	7208
AIR NEW SOURCE PERMITS	REGISTRATION	10291
AIR NEW SOURCE PERMITS	REGISTRATION	11306
AIR NEW SOURCE PERMITS	REGISTRATION	12139
AIR NEW SOURCE PERMITS	REGISTRATION	12817
AIR NEW SOURCE PERMITS	REGISTRATION	13120
AIR NEW SOURCE PERMITS	REGISTRATION	15261
AIR NEW SOURCE PERMITS	REGISTRATION	22999
AIR NEW SOURCE PERMITS	REGISTRATION	24159
AIR NEW SOURCE PERMITS	REGISTRATION	26121
AIR NEW SOURCE PERMITS	REGISTRATION	27000
AIR NEW SOURCE PERMITS	REGISTRATION	26860
AIR NEW SOURCE PERMITS	REGISTRATION	27539
AIR NEW SOURCE PERMITS	REGISTRATION	26859
AIR NEW SOURCE PERMITS	REGISTRATION	30543
AIR NEW SOURCE PERMITS	REGISTRATION	31227
AIR NEW SOURCE PERMITS	REGISTRATION	33642
AIR NEW SOURCE PERMITS	REGISTRATION	33907
AIR NEW SOURCE PERMITS	REGISTRATION	34543
AIR NEW SOURCE PERMITS	REGISTRATION	34963
AIR NEW SOURCE PERMITS	REGISTRATION	37234
AIR NEW SOURCE PERMITS	REGISTRATION	40837
AIR NEW SOURCE PERMITS	REGISTRATION	42051
AIR NEW SOURCE PERMITS	REGISTRATION	42730
AIR NEW SOURCE PERMITS	REGISTRATION	42852
AIR NEW SOURCE PERMITS	REGISTRATION	42951
AIR NEW SOURCE PERMITS	REGISTRATION	43132
AIR NEW SOURCE PERMITS	REGISTRATION	43433
AIR NEW SOURCE PERMITS	REGISTRATION	43675
AIR NEW SOURCE PERMITS	REGISTRATION	44038
AIR NEW SOURCE PERMITS	REGISTRATION	47175
AIR NEW SOURCE PERMITS	PERMIT	49138
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	JE00671
AIR NEW SOURCE PERMITS	AFS NUM	4824500018

AIR NEW SOURCE PERMITS	REGISTRATION	90127
AIR NEW SOURCE PERMITS	EPA ID	PSDTX932
AIR NEW SOURCE PERMITS	EPA ID	PSDTX768
AIR NEW SOURCE PERMITS	EPA ID	PSDTX768M1
AIR NEW SOURCE PERMITS	EPA ID	PSDTX992
AIR NEW SOURCE PERMITS	REGISTRATION	54487
AIR NEW SOURCE PERMITS	REGISTRATION	72569
AIR NEW SOURCE PERMITS	REGISTRATION	56428
AIR NEW SOURCE PERMITS	REGISTRATION	74552
AIR NEW SOURCE PERMITS	REGISTRATION	75172
AIR NEW SOURCE PERMITS	EPA ID	PSDTX799
AIR NEW SOURCE PERMITS	EPA ID	PSDTX802
AIR NEW SOURCE PERMITS	REGISTRATION	92941
AIR NEW SOURCE PERMITS	REGISTRATION	78516
AIR NEW SOURCE PERMITS	REGISTRATION	79641
AIR NEW SOURCE PERMITS	EPA ID	PSDTX992M1
AIR NEW SOURCE PERMITS	REGISTRATION	94562
AIR NEW SOURCE PERMITS	REGISTRATION	94731
AIR NEW SOURCE PERMITS	REGISTRATION	94797
AIR NEW SOURCE PERMITS	REGISTRATION	94162
AIR NEW SOURCE PERMITS	REGISTRATION	94294
AIR NEW SOURCE PERMITS	REGISTRATION	94161
AIR NEW SOURCE PERMITS	REGISTRATION	94268
AIR NEW SOURCE PERMITS	REGISTRATION	94279
AIR NEW SOURCE PERMITS	REGISTRATION	94354
AIR NEW SOURCE PERMITS	REGISTRATION	94417
AIR NEW SOURCE PERMITS	REGISTRATION	90470
AIR NEW SOURCE PERMITS	REGISTRATION	90733
AIR NEW SOURCE PERMITS	REGISTRATION	91409
AIR NEW SOURCE PERMITS	REGISTRATION	89878
AIR NEW SOURCE PERMITS	REGISTRATION	90859
AIR NEW SOURCE PERMITS	REGISTRATION	89318
AIR NEW SOURCE PERMITS	REGISTRATION	87985
AIR NEW SOURCE PERMITS	REGISTRATION	85988
AIR NEW SOURCE PERMITS	REGISTRATION	90462
AIR NEW SOURCE PERMITS	REGISTRATION	90917
AIR NEW SOURCE PERMITS	REGISTRATION	91236
AIR NEW SOURCE PERMITS	REGISTRATION	87903

AIR NEW SOURCE PERMITS	REGISTRATION	89728
AIR NEW SOURCE PERMITS	REGISTRATION	90328
AIR NEW SOURCE PERMITS	REGISTRATION	88089
AIR NEW SOURCE PERMITS	REGISTRATION	91148
AIR NEW SOURCE PERMITS	REGISTRATION	87414
AIR NEW SOURCE PERMITS	REGISTRATION	88127
AIR NEW SOURCE PERMITS	REGISTRATION	86452
AIR NEW SOURCE PERMITS	REGISTRATION	85876
AIR NEW SOURCE PERMITS	REGISTRATION	85990
AIR NEW SOURCE PERMITS	REGISTRATION	87029
AIR NEW SOURCE PERMITS	REGISTRATION	88261
AIR NEW SOURCE PERMITS	REGISTRATION	87499
AIR NEW SOURCE PERMITS	REGISTRATION	90845
AIR NEW SOURCE PERMITS	REGISTRATION	87735
AIR NEW SOURCE PERMITS	REGISTRATION	89812
AIR NEW SOURCE PERMITS	REGISTRATION	87500
AIR NEW SOURCE PERMITS	REGISTRATION	91227
AIR NEW SOURCE PERMITS	REGISTRATION	92224
AIR NEW SOURCE PERMITS	REGISTRATION	88020
AIR NEW SOURCE PERMITS	REGISTRATION	92943
AIR NEW SOURCE PERMITS	REGISTRATION	91496
AIR NEW SOURCE PERMITS	REGISTRATION	92851
AIR NEW SOURCE PERMITS	REGISTRATION	91853
AIR NEW SOURCE PERMITS	REGISTRATION	86449
WASTEWATER	PERMIT	WQ0003426000
WASTEWATER	EPA ID	TX0118737
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1871
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1870
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042

AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
AIR OPERATING PERMITS	PERMIT	2045
AIR OPERATING PERMITS	PERMIT	2046
AIR OPERATING PERMITS	PERMIT	2047
AIR OPERATING PERMITS	PERMIT	2048
AIR OPERATING PERMITS	PERMIT	2049
AIR OPERATING PERMITS	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	1356
AIR OPERATING PERMITS	PERMIT	1998
AIR OPERATING PERMITS	PERMIT	1999
AIR OPERATING PERMITS	PERMIT	2000
AIR OPERATING PERMITS	PERMIT	2036
AIR OPERATING PERMITS	PERMIT	2037
AIR OPERATING PERMITS	PERMIT	2039
AIR OPERATING PERMITS	PERMIT	2040
AIR OPERATING PERMITS	PERMIT	2041
AIR OPERATING PERMITS	PERMIT	2042
AIR OPERATING PERMITS	PERMIT	2043
AIR OPERATING PERMITS	PERMIT	2044
AIR OPERATING PERMITS	PERMIT	2046
AIR OPERATING PERMITS	PERMIT	2047
AIR OPERATING PERMITS	PERMIT	2048
AIR OPERATING PERMITS	PERMIT	2049
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	12825
STORMWATER	PERMIT	TXR05K942
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30587
POLLUTION PREVENTION PLANNING	ID NUMBER	P00441
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	JE00671
AIR OPERATING PERMITS	PERMIT	49134

Location: 1795 BURT ST, BEAUMONT, TX, 77701

TCEQ Region: REGION 10 - BEAUMONT

Date Compliance History Prepared: March 23, 2011

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: March 23, 2006 to March 23, 2011

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Raymond Marlow, P.G. Phone: (409) 899 - 8785



## Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2010 Repeat Violator: NO

## Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.

Effective Date: 06/15/2006

ADMINORDER 2003-1470-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform the final repair within 15 days after detecting leaks for two valves.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to monitor three valves for two successive leak-free months after detecting a leak.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with the 5 and 15 day requirements for leaking valves.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of the valve with Component ID #27751 in May 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(a)(1)  
40 CFR Part 63, Subpart CC 63.648(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to perform monthly monitoring of two pumps.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566 PERMIT

19566/PSD-TX-768M1, GC No. 8. PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere at the Flare Gas Recovery Unit.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(10)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for Incident No. 17640.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control 552 pounds of unauthorized Propylene emissions from entering the

atmosphere from the vents of Tank 2203 when hot Propylene wash was sent from the 5E Degasser facility.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(D)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly report and maintain emission event records for an emissions event at the North Wet Gas Compressor.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 46534 PERMIT

Permit 46534/PSD-TX-992, SC 1 and GC 8 PERMIT

Description: Failure to control unauthorized emissions from the North Wet Gas Compressor Unit on March 2, 2003.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(10)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial and final record notification pursuant to the emissions event record keeping requirements.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 49135 GC No. 8 and the MAERT PERMIT

Description: Failure to control emissions from your Flare Gas Recovery Compressor (FGRC) when it shut down due to an oxygen rich feed from the Crude Unit B Vacuum Tower.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document emissions event initial notification and final records for the January 27, and February 16, 20, and 26, 2003, emissions events.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions from the Low Pressure Compressor on February 26, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions at the Coker Flare.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 19566/PSD-TX-768M1, GC 8 PERMIT

Description: Failure to control unauthorized emissions from entering the atmosphere from the PtR-4 Booster Compressor.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT

Description: Failure to control unauthorized emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares during an instrumentation malfunction.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566/PSD-TX-768M1, GC No. 8 PERMIT

Description: Failure to control unauthorized emissions at the Low Pressure Flare from the PtR-4 Reformer Heater during a fuel regulator malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions events for September 18, October 4 and 30 (2 events), and November 23, 2002.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 MAERT PERMIT

Description: Failure to control emissions from your Low Pressure Flare, High Pressure Flare, and FCC Flares on November 23, 2002, when you allowed 7,961 pounds of unauthorized Sulfur Dioxide, 154 pounds of Nitrogen Oxide, and 144 pounds of Hydrogen Sulfide emissions to enter the atmosphere during an instrumentation malfunction.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions events at the Flare Gas Recovery Compressor on 11/17/02 and for Tank 1365 on 10/29/02..

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 49135, GC 8 and MAERT PERMIT

Description: Failure to control unauthorized emissions from the Flare Gas Recovery Compressor during an emissions event on 11/17/02 and from the LP, HP, and FCC Flares on 10/30/02.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to control unauthorized emissions from a levee during a tank roof malfunction and gasoline spill at Tank 1365.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(B)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(H)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to properly document the initial notification and final record for the emissions event at the HydroCracker facility.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: Permit 19566/PSD-TX-768M1, GC No. 8 PERMIT  
Description: Failure to control unauthorized emissions from entering the atmosphere at the Hydrocracker facility during an emissions event.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: Permit 49135, GC No. 8 PERMIT  
Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor. Start date was actually 10/30/02 @ 1431.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT  
Description: Failure to control emissions at the Flare Gas Recovery Unit.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: Permit No. 49135, GC No. 8 and MAERT PERMIT  
Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Flare Gas Recovery Compressor.

Classification: Minor  
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to control unauthorized emissions from entering the atmosphere during an emissions event at the Satellite Instrumentation Building.

Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
30 TAC Chapter 101, SubChapter F 101.201(b)(8)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Description: Failure to properly notify the regional office of a reportable emissions event.

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 49135, Special Condition 1 PERMIT  
Description: Failure to prevent unauthorized emissions during an emissions event at the refinery.

Effective Date: 07/22/2006 ADMINORDER 2006-0057-AIR-E

Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: O-02042, Special Condition 2F OP  
Description: Failure to properly report within 24 hours of discovery of an emissions event (Incident Number 61285) at Tank 2221 (FIN 50TEF#2221) and (Incident Number 63113) at the Hydrocracker Unit (FIN 20FUG#001).

Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)  
Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT  
Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).  
Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

Description: Special Condition 1 requires that sources of emissions be limited to the emissions limit and other conditions specified in the Maximum Allowable Emission Rates Table (MAERT).

Effective Date: 10/02/2006

ADMINORDER 2005-0644-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to include the compound descriptive type of all individually listed compounds or mixtures of air contaminants in the final record for an emissions event that occurred on March 6, 2004 (Incident No. 35969).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 6, 2004 (Incident Number 35969).

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to submit a copy of the final record of an emissions event to the commission office for the region in which the facility is located no later than two weeks after the end of the emissions event that occurred on March 16, 2004 (Incident No. 36493).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on March 16, 2004 (Incident Number 36493).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004 (Incident Number 37398).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on April 2, 2004 (Incident Number 37400).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent unauthorized emissions from the HDC Unit on June 24, 2004 (Incident Number 41629).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from the Flare Gas Recovery Unit that occurred on June 23, 2004 (Incident Number 41733).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex.

Admin. Code § 101.222 for emissions from Alkylation Unit 2 that occurred on August 6, 2004 (Incident Number 44117).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45107).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45113).

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to obtain regulatory authority or to meet the demonstration requirements of 30 Tex. Admin. Code § 101.222 for emissions from Gas Plant 5 East that occurred on August 24, 2004 (Incident Number 45116).

Effective Date: 05/25/2007

ADMINORDER 2006-1704-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 47358 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from the Ketone 1 Unit to the authorized limit found in Permit 47358.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2121 to the authorized limit found in Permit 49125.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 49125 PERMIT

Description: Failure to limit the Volatile Organic Compounds (VOC) emissions from Tank 2177 to the authorized limit found in Permit 49125.

Effective Date: 10/25/2007

ADMINORDER 2007-0210-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to notify the commission of a reportable emission event no later than 24 hours after the discovery of the event.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 1202 PERMIT

18277 PERMIT

19566, PSD-TX-768M1, and PSD-TX-932 PERMIT

49134 PERMIT

49151 PERMIT

Description: Failed to properly operate emission control equipment during normal operations, which resulted in an emission of sulfur dioxide ("SO2") above the maximum allowable emission rate.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THC Chapter 382, SubChapter A 382.0518(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit By Rule (Standard Exemption 69) PERMIT

Description: Emitted unauthorized emissions of hydrogen sulfide ("H2S").

Classification: Major

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)  
5C THC Chapter 382, SubChapter A 382.0518(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: Permit By Rule (Standard Exemption 69) PERMIT

Description: Emitted unauthorized emissions of volatile organic carbons ("VOCs").

Effective Date: 11/19/2007

ADMINORDER 2005-1906-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to comply with an emissions limitation.

Effective Date: 01/12/2008

ADMINORDER 2007-0729-IWD-E

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Self-reporting Requirements PERMIT

Description: Failure to submit monitoring results at the intervals specified in the permit as documented by a TCEQ record review.

Effective Date: 02/18/2008

ADMINORDER 2007-0812-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 1 PERMIT

Description: Failed to comply with permitted emission limits. Specifically, vacuum tower off gas was rerouted to the B-2 and B-3 vacuum heaters for combustion due to the shutdown of a transfer piping line from April 11 through May 16, 2007, resulting in a total emissions release of 219,430 pounds of sulfur dioxide ("SO2") over a period of 839 hours and 43 minutes, or approximately 261 pounds per hour. The permitted hourly limit for SO2 is 2.48 pounds per hour.

Effective Date: 05/22/2008

ADMINORDER 2007-1658-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter M 116.1520(c)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to submit a completed Best Available Retrofit Technology ("BART") analysis by April 30, 2007.

Effective Date: 06/05/2008

ADMINORDER 2007-1547-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 49138 PERMIT

Description: Failed to maintain the annual 12 month rolling average limit for Volatile Organic Compound ("VOC") emissions for the CHD-1 flare, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted April 27, 2007. Specifically, the CHD-1 flare exceeded its permitted limit of 17.98 tons per year ("tpy") during January 2006 and February 2006 with rolling averages o

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: NSR Permit 49138 PERMIT

Description: Failed to maintain the annual 12 month rolling average limit for VOC emissions for the Low Pressure ("LP") flare, in violation of 30 TEX. ADMIN. CODE § 116.115(c), New Source Review Permit No. 49138 Special Condition 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during an investigation conducted April 27, 2007. Specifically, the LP flare exceeded the permitted limit of 13.13 tpy in March 2006 with a rolling average of 37.85 tpy.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 49138 PERMIT

Description: Failed to maintain the annual 12 month rolling average limit for VOC emissions for the High Pressure ("HP") flare. Specifically, the HP flare exceeded the permitted limit of 15.1 tpy in March 2006 with a rolling average of 17.7 tpy.

Effective Date: 06/19/2008

ADMINORDER 2007-1606-AIR-E

Classification: Major

Citation: 30 TAC Chapter 101, SubChapter A 101.4  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failure to prevent a nuisance condition.

Effective Date: 02/08/2009

ADMINORDER 2008-0821-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: 49151 PERMIT  
O-02041 OP

Description: Failure to limit emissions from Crude Unit A to the authorized limit found in Permit 49151.

Effective Date: 03/12/2009

ADMINORDER 2008-1230-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
O-02048 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

Effective Date: 08/23/2009

ADMINORDER 2008-0153-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)



30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 19566/PSD-TX-768M1/PSD-TX-49 PERMIT  
46534 PERMIT

Description: Failed to prevent unauthorized emissions from the Coker Flare (EPN 60FLR\_004) and the Fluid Catalytic Cracking Unit Scrubber (EPN 06STK\_00) during an emissions event that began on January 12, 2007 and lasted 31 hours, releasing 45.55 tons of SO<sub>2</sub>, 3,490 lbs of VOC, 307 lbs of NO<sub>x</sub>, 990 lbs of H<sub>2</sub>S, and 2,219 lbs of CO from the Coker Flare and 26.29 tons of CO from the Fluid Catalytic Cracking Unit Scrubber.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 19566/PSD-TX-768M1/PSD-TX-49 PERMIT

Description: Failed to prevent unauthorized emissions from the Coker Flare (EPN 60FLR\_004) during an emissions event that began on May 6, 2007 and lasted 34 hours and 15 minutes, releasing 83.127 tons of SO<sub>2</sub>, 7,873 lbs of VOC, 906 lbs of NO<sub>x</sub>, 1,806 lbs of H<sub>2</sub>S, and 6,544 lbs of CO.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 49146 PERMIT

Description: Failed to prevent unauthorized emissions from the Effluent Water Treatment System (EPN 47FUG\_001) and Tank 594 (EPN 49 TIF\_0594) during an emissions event that began on April 27, 2007 and lasted 27 hours and 30 minutes, releasing 48.4 lbs of benzene, a VOC, from the Effluent Water Treatment System and 633.66 lbs of VOC were released from Tank 594.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 19566 PERMIT  
O-01871 OP

Description: Failed to prevent unauthorized emissions from the Coker Flare, EPN 60FLR\_004, in the Coker Unit during an emissions event (Incident No. 95371) that occurred on August 2, 2007 and lasted three hours and 50 minutes, releasing 13,796.40 lbs of SO<sub>2</sub>, 419.20 lbs of CO, 149.90 lbs of H<sub>2</sub>S, 57.70 lbs of NO<sub>x</sub>, and 644 lbs of VOC.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: 19566 PERMIT  
O-01871 OP

Description: Failed to prevent unauthorized emissions from the Coker Flare, EPN 60FLR\_004, in the Coker Unit during an emissions event (Incident No. 95960) that occurred on August 14, 2007 and lasted 12 hours and 41 minutes, releasing 33,632.20 lbs of SO<sub>2</sub>, 1,062.60 lbs of CO, 365.50 lbs of H<sub>2</sub>S, 147.10 lbs of NO<sub>x</sub>, and 1,548.35 lbs of VOC.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 19566 PERMIT  
O-01871 OP

Description: Failed to prevent unauthorized emissions from the Coker Flare, EPN 60FLR\_004, during an emissions event that began on September 18, 2007 and lasted for 72 hours and 34 minutes, releasing 79,666 lbs of SO<sub>2</sub>, 3,750 lbs of VOC, 2,438 lbs of CO, and 865 lbs of H<sub>2</sub>S.

Effective Date: 10/04/2009

ADMINORDER 2009-0568-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
O-02039 OP

Description: Failure to maintain an emission rate below the allowable emission limits.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: 49138 PERMIT  
O-01870 OP

Description: Failure to limit emissions from the CHD-1 Flare to the authorized limit found in Permit 49138.

Effective Date: 10/18/2009

ADMINORDER 2009-0153-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(2)(F)  
30 TAC Chapter 101, SubChapter F 101.201(a)(2)(G)  
30 TAC Chapter 101, SubChapter F 101.201(b)(7)  
30 TAC Chapter 101, SubChapter F 101.201(b)(9)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to properly report on a September 28, 2003 shut down requiring two reports and seven other reports on emissions events beginning on September 4, 2003 through December 22, 2003.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent unauthorized emissions during an emissions event in the Gas Plant 5 East (GP5E) Unit Debutanizer Tower that began on October 8, 2003 and lasted 2 hours 51 minutes, releasing 162,511.4 lbs of butane, 165,029.5 lbs of n-isobutane, and 89.62 lbs of NOx. Since the emissions event was not properly reported, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent unauthorized emissions during an emissions event in the Catalyst HydroDesulfurization - 1 Flare that began on September 23, 2003 and lasted 2 hours 23 minutes, releasing 1,113,30 lbs of H2S. Since this emissions event was not properly reported, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
30 TAC Chapter 101, SubChapter F 101.201(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to properly report within 24 hrs of an emissions event at the FCC Unit discovered on 11/11/2003 at 19:10, but not reported to the TCEQ until 11/14/2003 at 21:01; and an emissions event at the FGR Unit discovered on 02/11/2004 at 09:10, but not reported until 02/12/2004 at 14:24. ExxonMobil also failed to submit a copy of the final report to the TCEQ no later than within two weeks after the end of the emissions event at the FCC Unit which ended on 11/11/2003 at 13:27.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.116(a)(1)  
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18425 PERMIT

Description: Failed to prevent unauthorized emissions from the FGR Unit that began on February 11, 2004 at 09:10 hours and lasted till 16:40 hours (7 hours 30 minutes) releasing 28.18 lbs of H2S. Since the emissions event was avoidable, ExxonMobil failed to meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.

Classification: Moderate

Citation: 30 TAC Chapter 112, SubChapter A 112.3(c)  
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to prevent unauthorized emissions during an emissions event at the Sulfur Plant 3 that began on March 9, 2004 and lasted 1 hour and 23 minutes, releasing 50.00 lbs of CO, 516.47 lbs of H2S, 6.95 lbs of NOx, 49,374.20 lbs of SO2, and 19.98 lbs of VOC. In addition, results from a TCEQ air dispersion modeling audit showed the maximum predicted SO2 ground level concentration was 0.61

ppmv during the emissions event; therefore the 30-minute average SO2 net ground level concentration standard

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-02044 OP  
Permit 46534/PSD-TX-992 PERMIT

Description: Failed to prevent unauthorized emissions. Specifically, ExxonMobil released 171,709.43 lbs of unauthorized carbon monoxide and 1,551.28 lbs of unauthorized ammonia from the Carbon Monoxide Boiler Unit during an avoidable emissions event that began May 10, 2008 and lasted seven hours and 18 minutes. The root cause of the event was the boiler water feed level dropping below a safe level, causing the unit to automatically shut down. Since this emissions event could have been avoided by better oper

Effective Date: 06/04/2010

ADMINORDER 2009-1194-IWD-E

Classification: Minor

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Rqmt Prov: Effluent Limits PERMIT

Description: Failure to comply with permit effluent limits as documented by a TCEQ record review of self-reported data.

Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(17)  
Rqmt Prov: 24-hour Acute Biomonitoring Requirements PERMIT

Description: Failure to timely submit effluent monitoring results at the intervals specified in the permit as documented by a TCEQ record review.

Effective Date: 10/15/2010

ADMINORDER 2010-0586-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02048, General Terms and Condition OP  
FOP O-02048, Special Condition 11 OP  
NSR Permit 19566, Special Condition 1 PERMIT

Description: Failure to maintain emission rates below the allowable emission limits.

Effective Date: 11/15/2010

ADMINORDER 2010-0258-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-01998 General Terms and Conditions OP  
FOP O-01998 Special Condition 15 OP  
NSR Permit 19566, Special Condition 1 PERMIT

Description: Failed to maintain an emission rate below the allowable limit for CO from the Crude B Vacuum Heater [Emission Point Number ("EPN") 05STK\_002], and TEX. HEALTH & SAFETY CODE § 382.085(b). Specifically, the Respondent exceeded the permitted rolling CO emission limit of 8.20 tpy during the January 1, 2007 through December 31, 2007 period by 15.26 tpy and during the January 1, 2008 through December 31, 2008 period by 12.92 tpy.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Rqmt Prov: FOP O-02041, General Terms and Condition OP  
FOP O-02041, Special Condition 13 OP

NSR Permit 49151, Special Condition 1 PERMIT

Description: Failed to maintain emission rates below the allowable limits for CO and sulfur dioxide ("SO2") from the Atmospheric Heater B1-A (EPN 36STK\_002). Specifically, the Respondent exceeded the permitted CO emission limit of 18.72 lbs/hr on February 29, 2008, May 13, 2008, May 16, 2008, and June 11, 2008 with a total exceedance of 68.02 lbs. In addition, the permitted SO2 emission limit of 6.60 lbs/hr was exceeded on February 2, 2008, February 3, 2008, and March 2, 2008 with a total exceedance of 5.80 lbs.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02041, General Terms and Condition OP  
FOP O-02041, Special Condition 13 OP  
NSR Permit 49151, Special Condition 1 PERMIT

Description: Failed to maintain emission rates below the allowable limits for CO and SO2 from the Atmospheric Heater B1-B (EPN 36STK\_004). Specifically, the Respondent exceeded the permitted CO emission limit of 18.72 lbs/hr on August 10, 2008 and January 18, 2009 with a total exceedance of 10.46 lbs. In addition, the permitted SO2 emission limit of 6.60 lbs/hr was exceeded on February 2, 2008 and February 3, 2008 with a total exceedance of 10.50 lbs.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02041, General Terms and Condition OP  
FOP O-02041, Special Condition 13 OP  
NSR Permit 49151, Special Condition 1 PERMIT

Description: Failed to maintain emission rates below the allowable limits for SO2 from the Vacuum Heater B-2 (EPN 36STK\_006). Specifically, the Respondent exceeded the permitted SO2 emission limit of 2.48 lbs/hr on February 2, 2008, February 3, 2008, and March 2, 2008 with a total exceedance of 6.36 lbs.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)

Rqmt Prov: FOP O-02045 General Terms and Conditions OP  
FOP O-02045 Special Condition No. 13 OP  
NSR Permit 49145, Special Condition 1 PERMIT

Description: Failed to comply with permitted emission limits. Specifically, during an emissions event (Incident No. 129619) that began on September 18, 2009, the Respondent failed to prevent a back-flow between the No. 1 Deethanizer Tower and No. 2 Deethanizer Tower, causing the unauthorized release of 7,957.50 lbs of propane, 21.20 lbs of ethylene, 63.50 lbs of propylene, 2,105 lbs of isobutane, 1,535.50 lbs of butane, 42.3 lbs of butene, 217.80 lbs of pentane, and 490.20 lbs of isopentane from the No. 1 De

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

Rqmt Prov: General Terms and Conditions OP  
NSR 49151 SC 1 OP  
Special Terms and Conditions No. 13 OP

Description: Failed to maintain emission rates below the allowable limits for SO2 from the Vacuum Heater B-3 (EPN 36STK\_007), as documented during an investigation conducted on November 20, 2009. Specifically, the Respondent exceeded the permitted SO2 emission limit of 2.48 lbs/hr on February 2, 2008 and March 2, 2008 with a total exceedance of 2.34 lbs.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)  
5C THSC Chapter 382 382.085(b)Rqmt Prov: FOP O-02036 General Terms and Conditions OP  
FOP O-02036, Special Condition 2F OP

Description: Failed to report an emissions event within 24 hours after the discovery. RE had an emissions event on January 9, 2010 that was not reported until January 11, 2010.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.102(a)(1)  
5C THSC Chapter 382 382.085(b)Rqmt Prov: NSR PERMIT 49138, Special Condition 13 PERMIT  
NSR Permit 49138, Special Condition 16 PERMIT  
NSR Permit 49138, Special Condition 17 PERMIT  
NSR Permit 49138, Special Condition 18 PERMIT  
Spec. Cond. 13, 16, 17, 18 PERMIT

Description: Failed to maintain emission levels below 1.0 lb of PM per 1,000 lbs of coke burned.

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter G 116.715(a)  
5C THSC Chapter 382 382.085(b)Rqmt Prov: FOP O-02036, General Terms and Condition OP  
FOP O-02036, Special Condition 11 OP  
NSR Permit 49138, Special Condition 1 PERMIT  
Special Condition 1 PERMIT

Description: Failed to prevent unauthorized emissions.

- B. Any criminal convictions of the state of Texas and the federal government.  
N/A
- C. Chronic excessive emissions events.  
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)

- 1 12/28/2006(292610)
- 2 04/21/2007 (401393)
- 3 05/05/2006 (438988)
- 4 08/31/2006 (449600)
- 5 04/24/2006 (456876)
- 6 04/12/2006 (457576)
- 7 04/12/2006 (457598)
- 8 04/21/2006 (458117)
- 9 05/11/2006 (460411)
- 10 07/14/2006 (480861)
- 11 07/26/2006 (483331)

12	02/13/2007	(483611)
13	08/31/2007	(483835)
14	12/28/2006	(489839)
15	09/08/2006	(490101)
16	04/21/2007	(497645)
17	12/28/2006	(497673)
18	04/21/2006	(506263)
19	05/16/2006	(506264)
20	06/26/2006	(506265)
21	11/07/2007	(508947)
22	09/21/2006	(510357)
23	09/11/2006	(510537)
24	09/06/2006	(510836)
25	11/07/2007	(512385)
26	02/01/2007	(517030)
27	12/11/2006	(518157)
28	11/09/2006	(518560)
29	12/28/2006	(518617)
30	12/08/2006	(519497)
31	07/21/2006	(528497)
32	08/22/2006	(528498)
33	09/27/2006	(528499)
34	08/24/2006	(528500)
35	01/24/2007	(531178)
36	12/08/2006	(531717)
37	01/18/2007	(532456)
38	12/11/2006	(533072)
39	02/14/2007	(534587)
40	01/31/2007	(535664)
41	02/01/2007	(538035)
42	02/28/2007	(538222)

43	02/26/2007	(538573)
44	03/01/2007	(538654)
45	02/27/2007	(538681)
46	10/18/2006	(551856)
47	11/29/2006	(551857)
48	12/15/2006	(551858)
49	04/23/2007	(553970)
50	03/21/2007	(553990)
51	08/30/2007	(554099)
52	08/28/2007	(557812)
53	06/14/2007	(558039)
54	05/11/2007	(559959)
55	06/26/2007	(561757)
56	05/25/2007	(561932)
57	06/01/2007	(562352)
58	07/25/2007	(562752)
59	09/14/2007	(563130)
60	08/28/2007	(563149)
61	07/25/2007	(563491)
62	07/24/2007	(564244)
63	08/14/2007	(565531)
64	07/25/2007	(565599)
65	08/23/2007	(565800)
66	07/03/2007	(566239)
67	10/08/2007	(571920)
68	10/05/2007	(572014)
69	10/08/2007	(572040)
70	10/08/2007	(572051)
71	10/11/2007	(572058)
72	10/03/2007	(573096)

73	08/31/2007	(573644)
74	10/15/2007	(574177)
75	02/22/2007	(589095)
76	03/23/2007	(589096)
77	04/16/2007	(589097)
78	05/18/2007	(589098)
79	06/25/2007	(589099)
80	02/22/2007	(589100)
81	12/17/2007	(594318)
82	11/20/2007	(595467)
83	11/27/2007	(596296)
84	12/17/2007	(601083)
85	12/17/2007	(601087)
86	08/20/2007	(605719)
87	09/21/2007	(605720)
88	01/14/2008	(610848)
89	12/28/2007	(610948)
90	12/28/2007	(613083)
91	03/03/2008	(613306)
92	02/28/2008	(613307)
93	01/17/2008	(613632)
94	03/06/2008	(614501)
95	02/29/2008	(614701)
96	03/10/2008	(617338)
97	02/29/2008	(617754)
98	10/23/2007	(631302)
99	11/19/2007	(631303)
100	12/13/2007	(631304)
101	10/23/2007	(631305)
102	03/14/2008	(639150)



103	04/23/2008	(639997)
104	04/22/2008	(640288)
105	05/12/2008	(640530)
106	06/02/2008	(641290)
107	04/28/2008	(641898)
108	04/25/2008	(653577)
109	06/11/2008	(654705)
110	06/18/2008	(670745)
111	06/18/2008	(670786)
112	06/18/2008	(670813)
113	06/19/2008	(671251)
114	06/18/2008	(671590)
115	02/25/2008	(677292)
116	02/25/2008	(677293)
117	07/11/2008	(682224)
118	06/06/2008	(682314)
119	06/17/2008	(683447)
120	08/02/2008	(684254)
121	08/25/2008	(685007)
122	08/25/2008	(685012)
123	07/10/2008	(685796)
124	10/02/2008	(688787)
125	10/07/2008	(689613)
126	03/20/2008	(695967)
127	04/21/2008	(695968)
128	05/20/2008	(695969)
129	08/27/2008	(700540)
130	10/08/2008	(700569)
131	11/18/2008	(701943)
132	01/15/2009	(708625)
133	01/27/2009	(709901)

134	06/24/2008	(717575)
135	08/22/2008	(717576)
136	02/05/2009	(721835)
137	02/23/2009	(725237)
138	03/11/2009	(726626)
139	08/31/2008	(732903)
140	10/29/2008	(732904)
141	09/30/2008	(732905)
142	11/24/2008	(732906)
143	12/22/2008	(732907)
144	03/31/2009	(736428)
145	03/03/2009	(736939)
146	03/27/2009	(739156)
147	03/27/2009	(739409)
148	04/06/2009	(741350)
149	07/17/2009	(743021)
150	05/14/2009	(744597)
151	05/14/2009	(744739)
152	07/30/2009	(746072)
153	07/02/2009	(746339)
154	07/16/2009	(747896)
155	08/12/2009	(748428)
156	08/13/2009	(748526)
157	02/17/2009	(756127)
158	01/26/2009	(756128)
159	07/23/2009	(759123)
160	07/23/2009	(759128)
161	08/28/2009	(760750)
162	08/17/2009	(761629)
163	10/01/2009	(764862)

164	08/31/2009	(765941)
165	09/03/2009	(766203)
166	03/06/2009	(773109)
167	04/16/2009	(773110)
168	05/22/2009	(773111)
169	05/18/2009	(773112)
170	05/18/2009	(773113)
171	10/19/2009	(776515)
172	10/28/2009	(777385)
173	09/28/2009	(777659)
174	11/08/2009	(777673)
175	10/29/2009	(777718)
176	11/11/2009	(778662)
177	11/11/2009	(778668)
178	10/23/2009	(780020)
179	11/03/2009	(780848)
180	11/03/2009	(780872)
181	12/23/2009	(782616)
182	01/13/2010	(783323)
183	01/06/2010	(784179)
184	02/02/2010	(785231)
185	12/18/2009	(785626)
186	02/22/2010	(788850)
187	02/23/2010	(789570)
188	01/26/2010	(789633)
189	02/24/2010	(789976)
190	03/17/2010	(790388)
191	03/15/2010	(792080)
192	03/22/2010	(792703)
193	06/14/2010	(795153)
194	04/14/2010	(795287)

195	04/26/2010	(796278)
196	04/26/2010	(796283)
197	04/26/2010	(796289)
198	05/26/2010	(798629)
199	05/27/2010	(798916)
200	05/21/2010	(799713)
201	05/19/2010	(800571)
202	05/27/2010	(800580)
203	05/27/2010	(800741)
204	05/07/2010	(800781)
205	05/26/2010	(802347)
206	02/19/2010	(819504)
207	06/24/2009	(819505)
208	07/22/2009	(819506)
209	08/20/2009	(819507)
210	09/08/2009	(819508)
211	10/22/2009	(819509)
212	11/23/2009	(819510)
213	12/22/2009	(819511)
214	12/22/2009	(819512)
215	06/22/2010	(824891)
216	07/21/2010	(827714)
217	04/14/2010	(836078)
218	05/20/2010	(836079)
219	08/25/2010	(841929)
220	10/18/2010	(842428)
221	08/15/2010	(843986)
222	08/05/2010	(844640)
223	08/11/2010	(844771)
224	06/21/2010	(847869)

225 08/26/2010 (849478)

226 11/02/2010 (860752)

227 07/12/2010 (862277)

228 08/18/2010 (868888)

229 08/17/2010 (868889)

230 10/29/2010 (872164)

231 11/15/2010 (872170)

232 11/10/2010 (873621)

233 09/02/2010 (875747)

234 11/16/2010 (877768)

235 02/10/2011 (878797)

236 10/12/2010 (883318)

237 01/03/2011 (886717)

238 02/10/2011 (887328)

239 02/28/2011 (887885)

240 11/12/2010 (889719)

241 02/10/2011 (891601)

242 03/17/2011 (893018)

243 02/12/2011 (894965)

244 12/15/2010 (898089)

245 12/31/2010 (903989)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 04/25/2006 (456876) CN600920748

Self Report? NO Classification: Minor

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT

30 TAC Chapter 101, SubChapter A 101.20(1)

30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 113, SubChapter C 113.340

30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)

5C THC Chapter 382, SubChapter D 382.085(b)

O-01870 OP

O-01871 OP

O-02039 OP  
O-02040 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01870 OP

Description: Failure to maintain the minimum oxygen level at three percent for the thermal oxidizer at Unit ID 32STK#001.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01870 OP

Description: Failure to route emissions from the Sulfur Truck Loading System to the Carbon Absorption System at Unit ID 32VNT\_005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
49138 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01871 OP

Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(i)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01871 OP

Description: Failure to operate smokeless flare.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(a)(1)(i)(B)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02039 OP

Description: Failure to maintain the tank opening, on Tank 4029, in a closed position during normal operations.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02039 OP

Description: Failure to maintain a retaining wall around the coke stockpile.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02039 OP  
O-02040 OP

Description: Failure to conduct follow-up monitoring in April, 2005 for two leaks repaired in March, 2005. Failure to conduct follow-up monitoring in April, 2005 for four leaks repaired in March, 2005. Failure to conduct the second month follow-up monitoring in May, 2005 for three leaks repaired in March, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)

O-02040 OP

Description: Failure to operate one sample system with a closed-purged, closed-loop, or closed-vent system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to control emissions to an efficiency of at least 90 % for one hotwell.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to monitor six pressure relief valves (PRVs) in Volatile Organic Compound (VOC) service.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to keep quarterly records of visible emission inspections on heaters.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
49134 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to make the first attempt of repair on a leaking valve within five days.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(4)(A)(ii)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01871 OP

Description: Failure to record a minimum of 98% of the daily flare observations in 2005 for Flare 10, FCC Flare, and the Coker Flare.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
49134 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to maintain, on seven occasions from August 26, 2005 to August 27, 2005, the hourly maximum average heat input below the limit of 21.4 Million British thermal units per hour (MMBtu/hr) for Heater B2-A.

Self Report? NO Classification: Moderate  
 Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 101, SubChapter A 101.20(3)  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
 O-01356 OP  
 O-01870 OP  
 O-02042 OP  
 O-02043 OP

Description: Failure to conduct thirty-four weekly inspections for inactive drains and nine monthly inspections for active drains.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report deviations in the annual compliance certification reports for OP O-01870, O-01871, O-02039, and O-02040.

Date: 05/05/2006 (438988) CN600920748

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 335, SubChapter R 335.513

Description: Failure to complete waste classifications on non-hazardous, industrial wastes.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 335, SubChapter C 335.62  
 40 CFR Chapter 262, SubChapter I, PT 262, SubPT A 262.11

Description: Failure to complete a hazardous waste determination for each solid waste generated.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(B)  
 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(C)  
 30 TAC Chapter 335, SubChapter A 335.6(c)(5)(D)  
 HW-50139-000 PERMIT

Description: Failure to provide notification of associated waste management units, wastes managed in units, and an industrial, class 2 waste stream.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)

Description: Failure to keep records of all hazardous waste and industrial solid waste activities in a format which is retrievable and easy to copy.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 335, SubChapter A 335.9(a)(1)(G)

Description: Failure to maintain a record of the location of each satellite accumulation area (SAA).

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)  
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(c)  
 50139 PP V.B.3. PERMIT

Description: Failure to manage hazardous wastes as authorized by permit.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(7)  
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.175(b)(1)  
 II.C.1.f. PERMIT

Description: Failure to maintain the hazardous waste storage area so that the base is free from cracks and gaps.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)  
 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.15(b)(1)  
 PP.II.C.1.f. PERMIT  
 PP.II.C.2.a. PERMIT

Description: Failure to develop and follow an adequate written inspection plan to prevent, detect or respond to environmental or human health hazards.

Self Report? NO Classification: Minor  
 Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(3)



40 CFR Chapter 264, SubChapter I, PT 264, SubPT D 264.52(d)  
PP.II.C.1.f. PERMIT  
PP.II.C.2.c. PERMIT

Description: Failure to maintain a list of persons qualified to act as emergency coordinator.  
Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter F 335.163(4)  
40 CFR Chapter 264, SubChapter I, PT 264, SubPT F 264.97(d)  
PP. VI.D.1.c. IHWPERMTCP

Description: Failure to follow the Sampling and Analysis Plan as required by permit.

Date: 07/18/2006 (480861)

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP

Description: Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Minor  
Citation: 19566/PSD-TX-768M1 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
49135 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP  
O-02043 OP  
O-02044 OP  
O-02047 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification: Moderate  
Citation: 18277/PSD-TX-802 PERMIT  
19566/PSD-TX-768M1 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP  
O-02043 OP

Description: Failure to make the first attempt of repair within five days for the following operating permits and Unit ID's: O-02042 - one component in 27FUG#001 and four components in 28FUG#001; O-02043 - two components in 19FUG#001.

Self Report? NO Classification: Moderate  
Citation: 19566/PSD-TX-768M1 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP

O-02044 OP  
O-02047 OP

Description: Failure to conduct follow-up monitoring in April, 2005 for leaks repaired in March, 2005.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
46534/PSD-TX-922 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02044 OP

Description: Failure to reduce monitoring data to hourly concentrations for the Wet Gas Scrubber CEMS at least daily for thirty-four days. The Wet Gas Scrubber CEMS is located in Unit ID 06STK\_002.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 81, SubChapter C, PT 81, SubPT D 82.13(c)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02047 OP

Description: Failure to submit the annual Stratospheric Ozone Report within 45 days after the annual applicable reporting period of January 1, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to submit the annual compliance certifications for OP O-02036, O-02043, and O-02047 within 30 days of the certification period.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP

Description: Failure to maintain the Platinum Reformer (PtR) 3 Regenerator pH above the regulatory limit.

Date: 08/31/2006 (528499) CN600920748

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter

Date: 10/31/2006 (551857) CN600920748

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter

Date: 12/12/2006 (518157) CN600920748

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(2)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02048 OP  
O-02048, General Terms and Conditions OP  
O-02049 OP  
O-02049, General Terms and Conditions OP

Description: Failure to submit the annual compliance certifications for OP O-02048 and O-02049 within 30 days of the certification period.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.487(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(g)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01998 OP

O-02037 OP  
O-02041 OP  
O-02048 OP  
O-02049 OP

**Description:** Failure to submit the second 2005 semiannual 40 CFR Part 60, Subpart VV fugitive report within 60 days after the end of the applicable reporting period of December 31, 2005.

**Self Report?** NO **Classification:** Moderate

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01998 OP  
O-02037 OP  
O-02048 OP

**Description:** Failure to monitor nine components in Volatile Organic Compound (VOC) service located in Unit ID 05FUG#001, two components in VOC service located in Unit ID's 52FUG#001, 53FUG#001, and 54FUG#001, and sixteen components in VOC service located in Unit ID 49FUG#001.

**Self Report?** NO **Classification:** Moderate

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02037 OP  
O-02041 OP

**Description:** Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit ID's:  
O-02037 - 79 sample systems in Unit ID's 52FUG#001, 53FUG#001 and 54FUG#001; O-02041 - 1 valve in Unit ID 36FUG#001.

**Self Report?** NO **Classification:** Moderate

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02037 OP  
O-02048 OP

**Description:** Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system for the following operating permits and Unit ID's: O-02037 - three sample systems in 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one sample system in 49FUG#001.

**Self Report?** NO **Classification:** Moderate

**Citation:** 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(c)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02041 OP

**Description:** Failure to conduct follow-up monitoring in April, 2005 for a leak repaired in March, 2005 for a component located in Unit ID O-02041.

**Self Report?** NO **Classification:** Moderate

**Citation:** 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
49146 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)

O-02048 OP

Description: Failure to maintain an aggregate tank vapor pressure to less than 0.5 psia at the maximum expected operating temperature between December 12, 2005 and June 11, 2006 for Tank 49TFX#0334.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(1)(i)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(i)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02048 OP  
O-02049 OP

Description: Failure to conduct the five year primary seal inspections for several tanks.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02048 OP  
O-02049 OP

Description: Failure to repair twenty-seven components located in Unit ID 49FUG#001 and seventy-eight components located in Unit ID 50FUG#001, within 15 days after a leak is found.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.10(e)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02048 OP  
O-02049 OP

Description: Failure to submit the company's Emissions Inventory within the required time-frame for Unit ID's 48FUG#001 and 50FUG#001.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter K 106.262(3)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02048 OP

Description: Failure to submit a notification within ten days following modification of a facility located in fugitive area 48FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02049 OP

Description: Failure to conduct the annual visual primary seal inspection for tanks 49TIF#0782, 50TIF#2133 and 50TIF#2203.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
30 TAC Chapter 115, SubChapter B 115.114(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02049 OP

Description: Failure to conduct the semiannual visual secondary seal inspection for tank 50TEF#2211 and the annual gap measurement on the secondary seal for tanks 50TEF#2235 and 50TEF#2239.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02049 OP

Description: Failure to maintain the vapor pressure for tank 49TIF#0782 below 11 pounds per square in atmosphere (psia).

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 49125 PERMIT  
 56617 PERMIT  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02037 OP  
 O-02049 OP

Description: Failure to switch the initial saturation canister with the second canister (polishing), and place a fresh canister as the new polishing canister within four hours of detection of breakthrough.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 56617 PERMIT  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-02037 OP

Description: Failure to maintain the loading rate for diesel below 3,743 bbls/hr and Naphtha below 4,000 bbls/hr.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
 5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report deviations in the annual compliance certification reports for OP O-02037 and O-02049.

Date: 02/28/2007 (589096) CN600920748

Self Report? YES Classification: Moderate  
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)  
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter

Date: 03/01/2007 (538222) CN600920748

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(4)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-01356 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 115, SubChapter D 115.352(2)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
 5C THC Chapter 382, SubChapter D 382.085(b)  
 O-01999 OP

Description: Failure to make the first attempt of repair within five days for one valve located in Unit ID 47FUG#001.

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01999 OP

Description: Failure to operate three sample systems with a closed-purged, closed-loop, or closed-vent system located in Unit ID 47FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01999 OP

Description: Failure to monitor nineteen valves in Volatile Organic Compound (VOC) service located in Unit ID 67FUG#002 and fifteen valves in VOC service located in Unit ID 67FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.114(a)(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(1)(iii)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01999 OP

Description: Failure to conduct the annual gap measurement on the secondary seal for tank 47SMP#4136.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01999 OP

Description: Failure to report deviations in the appropriate deviation report and in a timely manner.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.114(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01999 OP

Description: Failure to conduct the annual visual primary seal inspection for tanks 47TIF#1313, 47TIF#1312, 47TIF#4001, 47TIF#0411, 47TIF#0412 and 47TIF#0413.

Date: 08/29/2007 (557812) CN600920748

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
49125 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to vent Volatile Organic Compounds (VOC) from Tank 2121 (Unit ID 50TFX#2121) to the flare.

Date: 08/30/2007 (554099) CN600920748

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(a)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01870 OP  
O-02036 OP

Description: Failure to monitor a pressure relief valve (PRV) in Volatile Organic Compound (VOC) service located in Unit ID 32FUG#001 and four hundred components in VOC service located in Unit ID 61FUG#001.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
49138 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01871 OP

Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01871 OP  
O-02039 OP  
O-02040 OP

Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service.

Self Report? NO Classification: Minor  
Citation: 19566/PSD-TX-768M1 and PSD-TX932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02036 OP

Description: Failure to conduct nine weekly inspections for inactive drains located in Unit ID 61SEW#001.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02036 OP  
O-02040 OP

Description: Failure to operate one sample system, located in Unit ID 61FUG#001, and four sample systems, located in 39FUG#001, with a closed-purged, closed-loop, or closed-vent system.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart QQQ 60.698(b)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02036 OP

Description: Failure to certify the New Source Performance Standards (NSPS), Subpart QQQ inspection in the semiannual report.

Self Report? NO Classification: Minor  
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)

O-02039 OP

Description: Failure to maintain a retaining wall around the coke stockpile located in Unit ID 04FUG#003.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-4(d)(2)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to replace seven rupture disks located in Unit ID 42FUG#001 within five days following a release.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.654(f)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to provide notification of the addition of Group 1 emission points in the Notification of Compliance Status Report within 60 days following the end of the 6-month period.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.312(a)(2)(C)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to control emissions to an efficiency of at least 90 % for two hotwells located in Unit ID 41FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02040 OP

Description: Failure to repair nine components, located in Unit ID's 37FUG#001 and 42FUG#001, within 15 days after discovery of a leak.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02036 OP  
O-02040 OP

Description: Failure to submit the deviation reports for OP O-02036 and O-02040 within 30 days after the end of the reporting period.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01871 OP

Description: Failure to report three violations as deviations that were documented during an on-site compliance investigation (Investigation No. 456876) conducted on February 2 through 15, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)  
49138 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01871 OP

Description: Failure to operate the plant flares with a flame present at all times.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)



30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-01870 OP

Description: Failure to operate the stack burner/thermal oxidizer (Unit ID 32STK#001) at greater than 3% O2 in the SRU Stack on October 11, 2006.

Date: 08/30/2007 (563149) CN600920748

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP  
O-02047 OP

Description: Failure to operate with a cap, blind flange, plug, or a second valve installed on equipment in VOC service. C10 cannot be picked.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)  
30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 115, SubChapter D 115.352(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP  
O-02043 OP  
O-02046 OP  
O-02047 OP

Description: Failure to repair the following components within 15 days after a leak is found. C10 cannot be picked.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)  
30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP  
O-02043 OP  
O-02044 OP

Description: Failure to monitor components in VOC service. C10 cannot be picked.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-1(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP

Description: Failure to modify the Platinum Reformer (PtR) 3 sewer system located in Unit ID 27SEW#001 to comply with requirements found in 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Moderate

Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02043 OP

Description: Failure to document a weekly inspection for inactive drains and two monthly inspections for active drains located in the following Unit ID 20SEW#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02043 OP  
O-02044 OP

Description: Failure to include deviations for missing NSPS QQQ inspections for January and February, 2006 within the semiannual deviation report (SDR) submitted in April, 2006 and failure to include a deviation for the January 26, 2006 Fluidized Catalytic Cracker Wet Gas Scrubber (FCCWGS) Carbon Monoxide (CO) exceedance within the SDR submitted in March, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(C)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02042 OP

Description: Failure to submit the deviation report for OP O-02042 within 30 days after the end of the reporting period.

Date: 09/30/2007 (631302) CN600920748

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 12/18/2007 (594318) CN600920748

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)(A)  
30 TAC Chapter 115, SubChapter D 115.352(1)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02037 OP  
O-02041 OP  
O-02048 OP

Description: Failure to repair the following components within 15 days after a leak is found for the following operating permits and Unit Identifications (IDs): O-02037 - five components located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001; O-02041 - five components located in Unit ID 36FUG#001; and O-02048 - twenty components located in Unit ID 49FUG#001.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02037 OP  
O-02048 OP  
O-02049 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit IDs: O-02042 - seventy-nine sample systems located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001; O-02048 - one open ended line located in Unit ID 49FUG#001; and O-02049 - two missing bull plugs located in Unit ID 50FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)

5C THC Chapter 382, SubChapter D 382.085(b)  
O-02037 OP

Description: Failure to operate three sample systems, located in Unit IDs 52FUG#001, 53FUG#001, and 54FUG#001, with a closed-purged, closed-loop, or closed-vent system.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
56617 PERMIT  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02037 OP

Description: Failure to operate the Wharf Loading Operations, Unit ID 53LBS#001, below the permitted loading limit of 4054 barrels per hour for gasoline components on twenty- three days between January 3, 2006 and December 7, 2006.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)(A)  
30 TAC Chapter 115, SubChapter D 115.354(2)(B)  
30 TAC Chapter 115, SubChapter D 115.354(2)(C)  
30 TAC Chapter 115, SubChapter D 115.354(2)(D)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02041 OP

Description: Failure to monitor two hundred, eleven components in VOC service that are located in Unit ID 36FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.646(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02048 OP  
O-02049 OP

Description: Failure to maintain the true vapor pressure (TVP) at less than 11.0 pounds per square inch atmosphere (psia) for Tank 718 (Unit ID 49TEF#0718), Tank 1352 (Unit ID 49TEF#1352), Tank 1366 (Unit ID 49TEF#1366), and Tank 782 (Unit ID 49TIF#0782).

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)

5C THC Chapter 382, SubChapter D 382.085(b)  
O-02048 OP

Description: Failure to submit a PI-7 prior to construction of Tank 5015 (Unit ID 49TEF#5015).

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT CC 63.648(a)  
5C THC Chapter 382, SubChapter D 382.085(b)  
O-02049 OP

Description: Failure to make the first attempt of repair within five days for three components located in Unit ID 50FUG#001.

Date: 02/29/2008 (613307) CN600920748

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THSC Chapter 382 382.085(b)  
O-01356 OP  
O-01999 OP

Description: Failure to include deviations within the Federal Operating Permit.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
O-01999 OP

Description: Failure to repair one component within 15 days after a leak is found for FOP  
O-01999 and located in Unit ID 67FUG#001.

Date: 06/02/2008 (641290)

Self Report? NO Classification: Moderate  
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01870 OP

Description: Failure to operate the stack burner/thermal oxidizer (Unit ID 32STK#001) at greater than 3% O<sub>2</sub> in the SRU Stack on the following dates; January 12, 2007, July 17, 2007, and August 7, 2007.

Self Report? NO Classification: Moderate  
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01870 OP

Description: Failure to limit the in-stack concentration of SO<sub>2</sub> from the thermal oxidizer (Unit ID 32STK#001) to less than 250 ppmv on the following dates; April 28, 2007 and May 7, 2007.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)  
49138 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01871 OP

Description: Failure to operate the plant flares with a flame present at all times.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
  
49138 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01871 OP

Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the flares.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
O-01871 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for one component located in Unit ID 04BLW#004 and one component located in Unit ID 60BLW#003.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
30 TAC Chapter 122, SubChapter B 122.145(2)(B)  
5C THSC Chapter 382 382.085(b)  
O-01871 OP

Description: Failure to include two deviations within the Federal Operating Permit (FOP)  
O-01871 semiannual deviation report (SDR) submitted in May 31, 2007.

Self Report? NO Classification: Moderate  
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-02036 OP

Description: Failure to conduct the second and third quarter, 2007, cylinder gas audit for  
CEMS located in Cogeneration Turbine 1, Unit 41 (Unit ID: 61STK\_001) and the  
second quarter, 2007, cylinder gas audit for CEMS located in Cogeneration  
Turbine 3, Unit 43 (Unit ID: 61STK\_003).

Self Report? NO Classification: Moderate  
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-02036 OP

Description: Failure to maintain the concentration limit of NOx and NH3 for Cogeneration  
Turbine 3, Unit 43 (Unit ID 61STK\_003) on October 12, 2007.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
5C THSC Chapter 382 382.085(b)  
O-02039 OP

Description: Failure to conduct one weekly inspection from December 10 through 17, 2006,  
for inactive drains located in Unit ID 04SEW#001.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.343(c)  
5C THSC Chapter 382 382.085(b)  
O-02039 OP

Description: Failure to conduct the first quarter, 2007 tank inspection for Tanks 4026, 4028,  
and 4029.

Self Report? NO Classification: Minor  
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-02039 OP

Description: Failure to maintain a retaining wall around the coke stockpile located in Unit ID  
04FUG#003.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-3(g)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
O-02039 OP

Description: Failure to make the first attempt of repair within five days for a compressor  
located in Unit ID 04FUG#001.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
40 CFR Part 60, Subpart VV 60.482-3(g)(1)

5C THSC Chapter 382 382.085(b)  
O-02039 OP

Description: Failure to repair the following components within 15 days after a leak is found for a compressor located in Unit ID 04FUG#001.

Date: 06/30/2008 (677293) CN600920748  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

Date: 07/14/2008 (682224) CN600920748  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 117, SubChapter B 117.219(d)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-02042 OP

Description: Failure to report Nitrogen Oxides (NOx) pounds per Million British thermal unit (lb/MMBtu) 30 day average exceedances from the PtR3 Heater in the NOx Reasonably Available Control Technology (RACT) Semiannual Report.

Self Report? NO Classification: Moderate  
Citation: 18277 PERMIT  
19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)  
5C THSC Chapter 382 382.085(b)  
O-02042 OP  
O-02043 OP

Description: Failure to limit the concentration of Hydrogen Sulfide (H2S) from the North Fuel Gas Drum to 150 ppm.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-02043 OP

Description: Failure to monitor a flange, located in Unit ID 20FUG#001, after final repair within 15 days of discovery of a leak.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
O-02043 OP  
O-02046 OP  
O-02047 OP

Description: Failure to operate sample systems with a closed-purged, closed-loop, or closed-vent system for the following operating permits and Unit ID's: O-02043 -

sample system located in 20FUG#001, O-02046 - sample systems located in 02FUG#001, 08FUG#001, and 09FUG#001, and O-02047 - sample systems located in several operating units in 25FUG#001.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.698(c)  
5C THSC Chapter 382 382.085(b)  
O-02043 OP

Description: Failure to report wastewater system inspection findings in the semiannual report as required by 40 CFR Part 60, Subpart QQQ.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THSC Chapter 382 382.085(b)  
O-02043 OP  
O-02046 OP  
O-02047 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service for the following operating permits and Unit ID's:  
O-02043 - one bullplug found missing in Unit ID 19FUG#001, O-02046 - two bullplugs found missing in Unit ID 02FUG#001, and O-02047 - one bullplug found missing in Unit ID 25FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
46534 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-02044 OP

Description: Failure to monitor Carbon Monoxide (CO), Nitrogen Oxides (Nox), and Sulfur Dioxide (SO2) pound per hour emissions at Unit ID 06STK\_003.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 60, Subpart VV 60.482-4(b)(1)  
5C THSC Chapter 382 382.085(b)  
O-02044 OP

Description: Failure to monitor a relief valve, located in Unit ID 06FUG#001 and discovered venting to the atmosphere.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.121(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-10(m)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.643(a)(1)  
5C THSC Chapter 382 382.085(b)  
O-02046 OP

Description: Failure to control vent gas streams located in the following Unit ID's; 02BLW#007, 03BLW#007, 08BLW#007, 09BLW#007, 10BLW#007, 11BLW#007, 12BLW#007, 08VNT\_001, 10VNT\_001, 11TVV\_001, and 12TVV\_001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
49148 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-02047 OP

Description: Failure to conduct a stack test on the pre-treater charge heater, Unit ID 25HTR#001, within 180 days of installation of low NOx burners.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
30 TAC Chapter 122, SubChapter B 122.145(2)(B)  
5C THSC Chapter 382 382.085(b)  
O-02047 OP

Description: Failure to include a deviation within the Federal Operating Permit (FOP) O-02047 semiannual deviation report (SDR) submitted on October 1, 2007. The deviation was documented in the second six month SDR submitted on March 31, 2008. The original deviation, documented in violation track number 337432, was for not conducting a stack test on the pre-treater charge heater within 180 days of installation of low NOx burners.

Date: 07/31/2008 (717576) CN600920748

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 08/31/2008 (732904) CN600920748

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 10/31/2008 (732906) CN600920748

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 11/18/2008 (701943) CN600920748

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(2)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT QQQ 60.692-2(a)(3)  
5C THSC Chapter 382 382.085(b)  
O-02042 OP  
O-02043 OP  
Permit 19566/PSD-TX-768M1 PERMIT

Description: Failure to conduct seven weekly inspections and seven monthly inspections as documented in the 40 CFR Part 60, Subpart QQQ semiannual report and certification for the period of January 1, 2008 through June 30, 2008,

Date: 11/30/2008 (732907) CN600920748

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 12/31/2008 (756128) CN600920748

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 01/27/2009 (709901) CN600920748

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
56617 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-02037 OP

Description: Failure to operate the Loading and Unloading Operations, Unit ID 52LBA#001, below the permitted loading limit of 1700 barrels per hour for caustic on August 1, 2007.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01999 OP  
O-02037 OP  
O-02048 OP

Description: Failure to submit a PI-7 for the Marine Vapor Flare, Unit ID 60FLR#009, multiple sources in the North Tanks operating area, and fugitive component additions found in Unit ID 57FUG#001.



Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
O-02041 OP  
Description: Failure to make the first attempt of repair within five days for one pump located in Unit ID 36FUG#001.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.105(a)(4)  
5C THSC Chapter 382 382.085(b)  
O-02041 OP  
Description: Failure to monitor Hydrogen Sulfide concentrations for Crude Unit A B2 and B3 Heaters, Unit ID's 36HTR#006 and 36HTR#007.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter B 115.112(a)(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)  
5C THSC Chapter 382 382.085(b)  
O-02048 OP  
Description: Failure to maintain the true vapor pressure (TVP) at less than 11.0 pounds per square inch atmosphere (psia) for Tank 1365 (Unit ID 49TEF#1365) and Tank 1366 (Unit ID 49TEF#1366) from July 8 through July 12, 2007.

Self Report? NO Classification: Moderate  
Citation: 19566, PSD-TX-768M1, PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.115b(b)(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(b)(8)  
5C THSC Chapter 382 382.085(b)  
O-02048 OP  
Description: Failure to comply with reporting and maintenance procedures for Tank 1378, Unit ID 49TEF#1378.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
5C THSC Chapter 382 382.085(b)  
O-02048 OP  
Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service. Two bull plugs were discovered missing in Unit ID 9FUG#001.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(2)  
5C THSC Chapter 382 382.085(b)  
O-02049 OP  
Description: Failure to maintain the side gauge hatch on Tank 2224, Unit ID 50TEF#2224, in a closed position during normal operations.

Self Report? NO Classification: Moderate  
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)

30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)  
5C THSC Chapter 382 382.085(b)  
O-01998 OP

Description: Failure to limit the concentration of Hydrogen Sulfide (H2S) from the North Fuel Gas Drum to 150 ppm.

Date: 01/31/2009 (756127) CN600920748

Self Report? YES Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 03/12/2009 (726626) CN600920748

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
O-01356 OP

Description: Failure to make the first attempt of repair within five days for a valve located in Unit ID 15FUG#001.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)(A)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
O-01356 OP

Description: Failure to repair a valve placed on delay of repair, located in Unit ID 15FUG#001, before the end of the next process turnaround.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
49138 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01871 OP

Description: Failure to operate without a cap, blind flange, plug, or a second valve installed on equipment in VOC service. Three bull plugs were discovered missing in Unit ID 15FUG#001 and one bull plug was discovered missing in Unit ID 60FUG#002.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter U 106.478(7)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01999 OP

Description: Failure to submit a PI-7 prior to construction of Tank 4184, Unit ID 47TFX#4184.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 115, SubChapter D 115.354(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
40 CFR Part 60, Subpart VV 60.482-4(b)(1)  
5C THSC Chapter 382 382.085(b)  
O-01999 OP

Description: Failure to monitor a relief valve within 24 hours of lifting, failed to make a first

repair attempt within five days, and failed to make a final repair or place on delay of repair (DOR) within fifteen days of lifting. The relief valve is located in Unit ID

57FUG#001.

Self Report? NO Classification: Moderate  
Citation: 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-01870 OP  
Description: Failure to operate the stack burner/thermal oxidizer, Unit ID 32STK#001, at greater than 3% O<sub>2</sub> in the SRU Stack and limit the in-stack concentration of SO<sub>2</sub> from the thermal oxidizer to less than 250 ppmv on May 28, 2008.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(e)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(3)  
49138 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01871 OP  
Description: Failure to operate the Number 7 plant flare, Unit ID 60FLR#007, with a flame present at all times for the following dates; 11/22/2007, 11/26/2007, 12/07/2007, 12/11/2007, 01/07/2008, 01/18/2008, and 01/29/2008.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
49138 PERMIT  
5C THSC Chapter 382 382.085(b)  
O-01871 OP  
Description: Failure to maintain a minimum of 300 British thermal units per standard cubic feet (Btu/scf) net heating value for the waste gas sent to the CHD-2 flare, Unit ID 60FLR#002, for the following dates; 06/09/2008 and 07/07/2008.

Date: 05/31/2009 (819505) CN600920748

Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

Date: 07/30/2009 (746072)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 101, SubChapter A 101.20(3)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)  
5C THSC Chapter 382 382.085(b)  
O-02036 OP  
O-02042 OP  
Permit 18277 PERMIT  
Permit 19566/PSD-TX-768M1 and PSD-TX-932 PERMIT  
Description: Failure to limit the concentration of Hydrogen Sulfide (H<sub>2</sub>S) from the North and South Fuel Gas Drums to 150 ppm.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-02036 OP  
Description: Failure to conduct an orifice plate visual inspection on flowmeters associated with Cogeneration Units 41, 42, and 43 (Unit ID's 61TRB#'s 001, 002, and 003) and failure to conduct a transducer accuracy assessment for flowmeters associated with Cogen Unit 41 (Unit ID 61TRB#001).

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter K 106.262(a)(3)  
30 TAC Chapter 116, SubChapter B 116.110(a)(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
O-02044 OP

Description: Failure to submit a PI-7 within the required time-frame for fugitive component additions found in Unit ID 06FUG#001.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 117, SubChapter B 117.140(d)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.13(d)(1)  
5C THSC Chapter 382 382.085(b)  
O-02042 OP

Description: Failure to comply with the company written procedure which requires ExxonMobil to use certified protocol gases for daily calibration drift assessments. During the on-site investigation on June 11, 2009, this investigator documented a Carbon Monoxide (CO) certified protocol calibration gas that had expired on May 15, 2009.

Date: 08/17/2009 (761629)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12 OP  
Special Condition 13 OP  
Special Condition 14 OP  
Special Condition 2 PERMIT  
Special Condition 5 PERMIT  
Special Condition 7 PERMIT  
Special Condition 8 PERMIT

Description: Failure to limit the concentration of Hydrogen Sulfide (H2S) from the North and South Fuel Gas Drum to 150 ppm.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(2)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1A OP

Description: Failure to make the first attempt of repair within five days for a connector located in Unit ID 04FUG#001.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.352(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1A OP

Description: Failure to repair a connector, located in Unit ID 04FUG#001, and a valve, located in Unit ID 42FUG#001, within 15 days after a leak is found.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 115, SubChapter D 115.354(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(a)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1A OP

Description: Failure to monitor one valve in VOC service, located in Unit ID 04FUG#001, and two valves in VOC service, located in Unit ID's 39FUG#001 and 42FUG#001.  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 101, SubChapter A 101.20(2)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(2)  
40 CFR Chapter 61, SubChapter C, PT 61, SubPT FF 61.351(a)(2)  
5C THSC Chapter 382 382.085(b)

Special Condition 1A OP  
Description: Failure to maintain the side gauge hatch on Tank 1332, Unit ID 19TEF#1332, in a closed position during normal operations.

Date: 09/30/2009 (819509) CN600920748  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

Date: 10/20/2009 (776515) CN600920748  
Self Report? NO Classification: Moderate  
Citation: PC No. 2(g), Pg. 7 PERMIT  
Description: Failure to contain domestic sewage resulting in an unauthorized discharge.  
Self Report? NO Classification: Moderate  
Citation: EL&MR, No. 1, Pg. 2 PERMIT  
Description: Failure to discharge effluent in compliance with permitted effluent limitations for pH, phenolic compounds and oil & grease.  
Self Report? NO Classification: Minor  
Citation: EL&MR No. 3, Pg. 2 PERMIT  
Description: Failure to discharge effluent in compliance with permitted effluent limitations (Sheen).

Date: 10/31/2009 (819510) CN600920748  
Self Report? YES Classification: Moderate  
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)  
30 TAC Chapter 305, SubChapter F 305.125(1)  
Description: Failure to meet the limit for one or more permit parameter

Date: 01/06/2010 (784179) CN600920748  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02036, General Terms and Condition OP  
FOP O-02036, Special Condition 11 OP  
NSR Permit 19566, Special Condition 1 PERMIT  
Description: Failure to maintain emission rates below the allowable emission limits. EIC B,13  
MOD 2,D

Date: 01/13/2010 (783323) CN600920748  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01998, General Terms and Condition OP  
FOP O-01998, Special Condition 14 OP  
NSR Permit 19566, Special Condition 7A PERMIT  
Description: Failure to maintain the H2S content of the fuel gas to 150 parts per million averaged over a one hour period for the North Fuel Gas Drum. EIC B,19 MOD 2,D  
Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)

30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THSC Chapter 382 382.085(b)  
FOP O-01998, General Terms and Condition OP  
FOP O-02037, General Terms and Condition OP

Description: Failure to report a deviation on a semi-annual deviation reports. EIC B,3 MOD 2,G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(1)  
30 TAC Chapter 122, SubChapter B 122.146(5)(D)  
5C THSC Chapter 382 382.085(b)  
FOP O-01998, General Terms and Condition OP  
FOP O-02037, General Terms and Condition OP

Description: Failure to accurately certify an Annual Compliance Certification. EIC B,3 MOD 2,G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.300  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Part 63, Subpart Y 63.567(i)  
5C THSC Chapter 382 382.085(b)  
FOP O-02037, General Terms and Condition OP  
FOP O-02037, Special Condition 12 OP  
FOP O-02037, Special Condition 1D OP  
FOP O-02037, Special Condition 9G OP  
NSR Permit 56617, Special Condition 3 PERMIT  
NSR Permit 56617, Special Condition 5B2 PERMIT

Description: Failure to maintain records of the vapor tightness certification for marine vessels loaded at the ExxonMobil Beaumont Refinery. EIC B,3 MOD 2,G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-02041, General Terms and Condition OP  
FOP O-02041, Special Condition 13 OP  
NSR Permit 49151, Special Condition 11 PERMIT

Description: Failure to maintain the H2S content of the fuel gas to 159 ppm for a three hour rolling average for the South Fuel Gas Drum. EIC B,19b1 MOD 2,D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02048, General Terms and Condition OP  
FOP O-02048, Special Condition 11 OP  
NSR Permit 49146, Special Condition 1 PERMIT

Description: Failure to maintain emission rates below the allowable emission limits. EIC B,19g1 MOD 2,D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
5C THSC Chapter 382 382.085(b)  
FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 11 OP  
NSR Permit 49125, Special Condition 7E PERMIT

Description: Failure to equip an open-ended valve with a cap, blind plug, or a second valve. EIC C,10 MOD 2,D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(4)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)

FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 1A OP

Description: Failure to monitor a Pressure Relief Valve (PRV) within 24 hours of release.  
EIC B19g1 MOD 2,D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 1A OP  
FOP O-02049, Special Condition 1F OP  
NSR Permit 49125, Special Condition 7I PERMIT

Description: Failure to repair a leaking valve within 15 days after the discovery of the leak.  
EIC C,10 MOD 2,D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 12 OP  
NSR Permit 49125, Special Condition 4 PERMIT

Description: Failure to prevent Tank 2233 from venting to the atmosphere. EIC B,14 MOD 2,D

Date: 02/03/2010 (785231) CN600920748

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.15(d)  
5C THSC Chapter 382 382.085(b)  
FOP O-02048, General Terms and Condition OP  
FOP O-02048, Special Condition 11 OP  
FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 12 OP  
NSR Permit 19566, Special Condition 9A PERMIT  
NSR Permit 7760, Special Condition 2 PERMIT

Description: Failure to provide notice 60 days prior to the construction of a replacement. EIC B,3 MOD 2,B

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-02048, General Terms and Condition OP  
FOP O-02048, Special Condition 11 OP  
FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 12 OP  
NSR Permit 19566, Special Condition 9A PERMIT  
NSR Permit 7760, Special Condition 2 PERMIT

Description: Failure to provide written notification 30 days after the commencement of construction. EIC B,3 MOD 2,B

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.100  
30 TAC Chapter 113, SubChapter C 113.340  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.9(b)(5)  
5C THSC Chapter 382 382.085(b)  
FOP O-02048, General Terms and Condition OP  
FOP O-02048, Special Condition 11 OP

FOP O-02048, Special Condition 8 OP  
FOP O-02048, Special Condition 9B OP  
FOP O-02049, General Terms and Condition OP  
FOP O-02049, Special Condition 10B OP  
FOP O-02049, Special Condition 12 OP  
FOP O-02049, Special Condition 9 OP  
NSR Permit 19566, Special Condition 11 PERMIT  
NSR Permit 7760, Special Condition 3 PERMIT

Description: Failure to provide written notification within 15 days of the intent of construction or reconstruction. EIC B,3 MOD 2,B

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(5)  
5C THSC Chapter 382 382.085(b)  
FOP O-02048, General Terms and Condition OP  
FOP O-02048, Special Condition 11 OP  
NSR Permit 19566, Special Condition 9A PERMIT

Description: Failure to provide written notification 30 days prior to the refill of Tank 1165. EIC B,3 MOD 2,B

Date: 02/24/2010 (789570) CN600920748

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01870, General Terms and Condition OP  
FOP O-01870, Special Condition 13 OP  
NSR Permit 19566, Special Condition 23 PERMIT

Description: Failure to route emissions from the sulfur pit to the stack burner or the Sulfur Recovery Unit (SRU) Reaction Furnace. EIC B,18 MOD 2,G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(2)(i)  
5C THSC Chapter 382 382.085(b)  
FOP O-01870, General Terms and Condition OP  
FOP O-01870, Special Condition 13 OP  
NSR Permit 19566, Special Condition 22 PERMIT  
NSR Permit 19566, Special Condition 9A PERMIT

Description: Failure to maintain the in-stack concentration of SO2 from the thermal oxidizer below 250 ppm. EIC B,18 MOD 2,G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.780  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT UUU 63.1569(a)(1)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT UUU 63.1572(c)(1)  
5C THSC Chapter 382 382.085(b)  
FOP O-01870, General Terms and Condition OP  
FOP O-01870, Special Condition 1D OP

Description: Failure to monitor the bypass vents of the SRU. EIC B,18 MOD 2,G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01870, General Terms and Condition OP  
FOP O-01870, Special Condition 13 OP  
NSR Permit 19566, Special Condition 30 PERMIT  
NSR Permit 19566, Special Condition 32 PERMIT

Description: Failure to maintain the minimum O2 concentration and firebox temperature for the thermal oxidizer. EIC B,18 MOD 2,G

Self Report? NO Classification: Moderate



Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01870, General Terms and Condition OP  
 NSR Permit 1870, Special Condition 13 OP  
 NSR Permit 19566, Special Condition 23 PERMIT

Description: Failure to maintain CAS sampling and monitoring records during sulfur truck loading. EIC B,3 MOD 2,B

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01870, General Terms and Condition OP  
 FOP O-01870, Special Condition 13 OP  
 NSR Permit 19566, Special Condition 23A PERMIT

Description: Failure to perform CAS sampling during sulfur truck loading. EIC B,1 MOD 2,A

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.100  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(6)(ii)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01871, General Terms and Condition OP  
 FOP O-01871, Special Condition 1A OP  
 FOP O-01871, Special Condition 7 OP  
 NSR Permit 49138, Special Condition 15A PERMIT

Description: Failure to operate the CHD-1 Flare, CHD-2 Flare, the FCC Flare, and the High-Pressure Flare with a net heating value greater than 300 British Thermal Units per standard cubic foot (BTU/scf). EIC B,18 EIC 2,G

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.340  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5(a)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.648(a)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01871, General Terms and Condition OP  
 FOP O-01871, Special Condition 1A OP

Description: Failure to obtain samples from the CHD-1 Flare using a closed vent system. EIC B,18 MOD 2,G

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 101, SubChapter A 101.20(1)  
 30 TAC Chapter 113, SubChapter C 113.100  
 30 TAC Chapter 116, SubChapter B 116.115(c)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)  
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT A 63.11(b)(5)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01871, General Terms and Condition OP  
 FOP O-01871, Special Condition 1A OP  
 FOP O-01871, Special Condition 7 OP  
 NSR Permit 49138, Special Condition 15B PERMIT

Description: Failure to operate flare CHD-1 with a flame present at all times. EIC B,18 MOD 2,G

Self Report? NO Classification: Moderate  
 Citation: 30 TAC Chapter 106, SubChapter U 106.478(7)  
 30 TAC Chapter 122, SubChapter B 122.143(4)  
 5C THSC Chapter 382 382.085(b)  
 FOP O-01999, General Terms and Condition OP  
 FOP O-01999, Special Condition 14 OP

Description: Failure to submit a PI-7 form prior to the construction of Tank 4184. EIC B,9 MOD 2,C

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-01999, General Terms and Condition OP  
FOP O-01999, Special Condition 15 OP  
NSR Permit 56259, Special Condition 5 PERMIT  
Description: Failure to maintain the H2S content of the fuel gas for the North and South Fuel Gas Drum below 150 parts per million (ppm). EIC B,18 MOD 2,G

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter C 115.244(1)  
30 TAC Chapter 115, SubChapter C 115.246(6)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02000, General Terms and Condition OP  
FOP O-02000, Special Condition, 8C(vi) OP  
Description: Failure to inspect the motor vehicle fueling station Stage II emissions control system daily and to maintain records. EIC B,1 MOD 2,C

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter C 115.242(3)(K)  
30 TAC Chapter 115, SubChapter C 115.242(5)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02000, General Terms and Condition OP  
FOP O-02000, Special Condition 8(C)(ii) OP  
Description: Failure to maintain the Stage II vapor recovery system in proper operating condition. EIC B,18 MOD 2,G

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THSC Chapter 382 382.085(b)  
FOP O-02000, General Terms and Condition OP  
Description: Failure to report a deviation on a semi-annual deviation report. EIC B,3 MOD 2,G

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(1)  
30 TAC Chapter 122, SubChapter B 122.146(5)(D)  
5C THSC Chapter 382 382.085(b)  
FOP O-02000, General Terms and Condition OP  
Description: Failure to accurately certify an Annual Compliance Certification. EIC B,3 MOD 2,G

Date: 05/28/2010 (798916) CN600920748

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02036, General Terms and Condition OP  
FOP O-02036, Special Condition 11 OP  
FOP O-02042, General Terms and Condition OP  
FOP O-02042, Special Condition 16 OP  
NSR Permit 19566, Special Condition 8A PERMIT  
Description: Failure to maintain the content of the fuel gas for the North and South Fuel Gas Drum below 150 ppmv of H2S. EIC B,13 MOD 2,D

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02036, General Terms and Condition OP  
FOP O-02036, Special Condition 11 OP  
NSR Permit 19566, Special Condition 41 PERMIT  
Description: Failure to maintain the NOx emission rate below 7.3 ppmvd for Train 42. EIC B,13 MOD 2,D

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
FOP O-02036, General Terms and Condition OP  
FOP O-02036, Special Condition 11 OP  
NSR Permit 49138, Special Condition 29 PERMIT  
Description: Failure to maintain the NH3 limit for CTG 41 below 9.5 ppmvd. EIC B,13 MOD 2,D

Date: 07/22/2010 (827714)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(2)  
FOP O-02040, General Terms and Condition OP  
FOP O-0240, Special Condition 12 OP  
NSR Permit 49138, Special Condition 13 PERMIT  
NSR Permit 49138, Special Condition 59E PERMIT  
Description: Failure to maintain a sealing device on an open-ended. EIC C,10 MIN 3,A

Date: 08/25/2010 (841929) CN600920748

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)  
Description: Failure to update the NOR.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(1)(A)  
30 TAC Chapter 335, SubChapter E 335.112(a)(8)

40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(1)(i)  
40 CFR Chapter 265, SubChapter I, PT 265, SubPT I 265.173(b)

Description: Failure to maintain container storage areas.

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 335, SubChapter C 335.69(a)(2)  
40 CFR Chapter 262, SubChapter I, PT 262, SubPT C 262.34(a)(2)

Description: Failure to label containers with the accumulation start dates.

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 335, SubChapter A 335.4(1)

Description: Failure to properly store class 1, nonhazardous waste (Demister pads and used floor dry).

Date: 02/10/2011 (887328) CN600920748

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT J 60.104(a)(1)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11 PERMIT  
Special Condition 13 OP  
Special Condition 15 OP  
Special Condition 1A OP  
Special Condition 8(A) PERMIT  
Special Condition 9(B) PERMIT

Description: Failure to maintain the Hydrogen Sulfide (H2S) content of the fuel gas below the permitted limit. EIC B19(g)(1) MOD 2D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1A OP  
Special Condition 59(H) PERMIT  
Special Condition 59(I) PERMIT

Description: Failure to make the first attempt of repair within 5 days and a final repair within 15 days for a leaking Pump (P-8681) located in Unit ID 04FUG\_001. EIC C10 MOD

2D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.145(2)(A)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP

Description: Failure to report deviations on a semi-annual deviation report. EIC B3 MOD 2G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
30 TAC Chapter 122, SubChapter B 122.146(1)  
30 TAC Chapter 122, SubChapter B 122.146(5)(D)  
5C THSC Chapter 382 382.085(b)  
General Terms and Conditions OP

Description: Failure to accurately certify an Annual Compliance Certification. EIC B3 MOD 2G

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.15(d)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11 OP  
Special Condition 11 PERMIT  
Special Condition 12 OP  
Special Condition 2 PERMIT

Description: Failure to submit the required notification 60 days prior to the start of the reconstruction. EIC B9 MOD 2B

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(1)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11 OP  
  
Special Condition 11 PERMIT  
Special Condition 12 OP  
Special Condition 2 PERMIT

Description: Failure to notify the Administrator no later than 30 days after the commencement of construction of an affected facility. EIC B9 MOD 2B

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(b)(6)(ii)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11 OP  
Special Condition 11 PERMIT

Description: Failure to notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel. EIC B3 MOD 2B

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter C 122.217(a)(2)  
5C THSC Chapter 382 382.085(b)

Description: Failure to submit a Title V minor revision prior to the operation of tank 1165 (48TEF#1165). EIC C3 MIN 3C

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT AA 63.646(f)(1)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11 OP  
Special Condition 14 PERMIT

Description: Failure to close a gauge hatch on an external floating roof. EIC C10 MOD 2D

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11 OP  
Special Condition 82(B)(1) PERMIT

Description: Failure to achieve 10,000 parts per million (ppm) or 10 percent Lower Explosive Limit (LEL) when degassing a tank. EIC B19(g)(1) MOD 2D

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.7(a)(3)  
5C THSC Chapter 382 382.085(b)  
Special Condition 12 OP  
Special Condition 13 PERMIT  
Description: Failure to submit notification to the Administrator within 15 days of startup. EIC B3 MOD 2B

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)(B)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 11 OP  
Special Condition 12 OP  
Special Condition 14 OP  
Description: Failure to submit required documentation to the administrator. EIC B3 MOD 2B

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.119(a)(1)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1A OP  
Description: Failure to maintain the true vapor pressure below 11.0 pounds per square inch absolute (psia). EIC B19(g)(1) MOD 2(G)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)  
30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1 PERMIT  
Special Condition 13 OP  
Description: Failure to maintain emission rates below the allowable emission limits. EIC B19 MOD 2D

Date: 02/10/2011 (891601)

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter C 115.246(6)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 8(C)(vi) OP  
Description: Failure to maintain records. EIC C3 MIN 3(C)

Self Report? NO Classification: Minor  
Citation: 30 TAC Chapter 115, SubChapter C 115.242(3)(K)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 8(C)(ii) OP  
Description: Failure to maintain records. EIC C3 MIN 3(C)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 115, SubChapter D 115.352(1)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-2(c)  
5C THSC Chapter 382 382.085(b)  
Special Condition 1(A) OP  
Description: Failure to repair or remove leaking equipment from service within 15 days of discovery. EIC C10 MOD 2(D)

Self Report? NO Classification: Moderate  
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)  
30 TAC Chapter 122, SubChapter B 122.143(4)  
5C THSC Chapter 382 382.085(b)  
Special Condition 16 OP  
Special Condition 5 PERMIT  
Special Condition 7(B) PERMIT  
Description: Failure to maintain the Hydrogen Sulfide (H2S) content of the fuel gas below the permitted limit. EIC B19(g)(1) MOD 2D

Notice of Intent Date: 08/22/2005 (455176)

Disclosure Date: 11/30/2006

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7

Description: Failure to properly identify valves.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7

Description: Failure to monitor components.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-7(d)(1)

Description: Failure to complete repair attempt within allotted time.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.354(3)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6

Description: Failure to close open-ended lines.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-5

Description: Failure to properly handle purged process fluids.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter D 115.352

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-9

Description: Failure to meet the requirements for difficult to monitor components.

Notice of Intent Date: 06/10/2008 (766059)

Disclosure Date: 06/15/2009

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter K 106.261(a)(7)

Description: Failure to include some Management of Changes in the appropriate annual registration for the years 2002-2006.

Notice of Intent Date: 07/06/2009

Disclosure Date: 01/04/2010

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to obtain authorization for a portable diesel powered engine utilized to supplement Coker Unit Compressed Air Supply.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to obtain authorization for a portable diesel powered water pump utilized to transfer collected storm water from the old inlet canal following the landfall of Hurricane Ike.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to obtain authorization for a portable diesel powered water pump utilized to temporarily replace No. 1 Lift Station Electrical Pumps damaged during the landfall of Hurricane Ike.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to obtain authorization for a portable diesel powered water pump utilized to replace permanent pumps at the 55 Pump Station.

Viol. Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.110

Description: Failure to obtain authorization for four portable air compressors used to provide compressed air to the Refinery's Instrument Air System.

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
EXXONMOBIL OIL  
CORPORATION  
RN102450756

§ BEFORE THE  
§  
§  
§ TEXAS COMMISSION ON  
§  
§ ENVIRONMENTAL QUALITY

## AGREED ORDER DOCKET NO. 2011-0374-AIR-E

### I. JURISDICTION AND STIPULATIONS

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding ExxonMobil Oil Corporation ("the Respondent") under the authority of TEX. HEALTH & SAFETY CODE ch. 382 and TEX. WATER CODE ch. 7. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent appear before the Commission and together stipulate that:

1. The Respondent owns and operates a petroleum refinery at 1795 Burt Street in Beaumont, Jefferson County, Texas (the "Plant").
2. The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
3. The Commission and the Respondent agree that the Commission has jurisdiction to enter this Agreed Order, and that the Respondent is subject to the Commission's jurisdiction.
4. The Respondent received notice of the violations alleged in Section II ("Allegations") on or about February 15 and May 1, 2011.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.



6. An administrative penalty in the amount of Ten Thousand Dollars (\$10,000) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent has paid Four Thousand Dollars (\$4,000) of the administrative penalty and Two Thousand Dollars (\$2,000) is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If the Respondent fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require the Respondent to pay all or part of the deferred penalty. Four Thousand Dollars (\$4,000) shall be conditionally offset by the Respondent's completion of a Supplemental Environmental Project ("SEP").
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and the Respondent have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that on March 2, 2011, the Respondent developed a rule in their Real Time Advisory Program that monitors gas flow rates that will alert console operators of changing conditions and provide the proper actions to take in order to prevent incidents of the same cause and ensure compliance with the sulfur dioxide ("SO<sub>2</sub>") allowable emission rate.
10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Agreed Order.
11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## II. ALLEGATIONS

As owner and operator of the Plant, the Respondent is alleged to have failed to comply with the SO<sub>2</sub> allowable hourly emission rate, in violation of 30 TEX. ADMIN. CODE §§ 116.115(b)(2)(F) and (c), 122.143(4) and 101.20(3), Federal Operating Permit ("FOP") No. O-01998, Special Terms and Conditions ("STC") No. 14, Air Permit No. 19566, PSD-TX-768M1 and PSD-TX-932, Special Conditions ("SC") No. 1, FOP No. O-02040, STC No. 12, Air Permit No. 49134, SC No. 1, and TEX. HEALTH & SAFETY CODE § 382.085(b), as documented during investigations conducted on January 5 and 14, 2011 and March 2 through 10, 2011. Specifically, on October 17, 2009, the Respondent exceeded the SO<sub>2</sub> hourly emission rate of 22.01 pounds per hour ("lbs/hr") for two hours at Heater 3101, Emissions Point Number ("EPN") 05STK\_001, exceeded the SO<sub>2</sub> hourly emission rate of 2.80 lbs/hr for two hours at Heater B-7001, EPN28STK\_001, exceeded the SO<sub>2</sub> hourly emission rate of 1.10 lbs/hr for two hours at Heater

B-7201, EPN 28STK\_003, exceeded the SO<sub>2</sub> hourly emission rate of 0.65 lb/hr for one hour at Furfural 1B-2-A Heater, EPN 38STK\_002 and exceeded the SO<sub>2</sub> hourly emission rate of 0.89 lb/hr for one hour at Furfural 1B-1 Heater, EPN 38STK\_001. The exceedances resulted in the release of 53.74 lbs of SO<sub>2</sub> emissions.

### III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that the Respondent pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and the Respondent's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: ExxonMobil Oil Corporation, Docket No. 2011-0374-AIR-E" to:  
  
Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088
2. The Respondent shall implement and complete a SEP in accordance with TEX. WATER CODE § 7.067. As set forth in Section I, Paragraph 6 above, Four Thousand Dollars (\$4,000) of the assessed administrative penalty shall be offset with the condition that the Respondent implement the SEP defined in Attachment A, incorporated herein by reference. The Respondent's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
3. The provisions of this Agreed Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. This Agreed Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
5. If the Respondent fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the Respondent's failure to comply is not a violation of this Agreed Order. The Respondent shall have the burden of establishing to

the Executive Director's satisfaction that such an event has occurred. The Respondent shall notify the Executive Director within seven days after the Respondent becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
7. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to the Respondent, or three days after the date on which the Commission mails notice of the Order to the Respondent, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

*Don Soderlin*  
For the Executive Director

7/31/2011  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions;
- and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

*[Signature]*  
Signature

6-20-11  
Date

Daniel Rizzo  
Name (Printed or typed)  
Authorized Representative of  
ExxonMobil Oil Corporation

Refinery Manager  
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

Attachment A  
Docket Number: 2011-0374-AIR-E

**SUPPLEMENTAL ENVIRONMENTAL PROJECT**

**Respondent:** ExxonMobil Oil Corporation  
**Payable Penalty Amount:** Eight Thousand Dollars (\$8,000)  
**SEP Amount:** Four Thousand Dollars (\$4,000)  
**Type of SEP:** Pre-approved  
**Third-Party Recipient:** Southeast Texas Regional Planning Commission  
-Southeast Texas Regional Air Monitoring  
Network Ambient Air Monitoring Station  
**Location of SEP:** Jefferson County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

**1. Project Description**

**A. Project**

The Respondent shall contribute the SEP offset amount to the Third-Party Recipient named above. The contribution will be to the **Southeast Texas Regional Planning Commission** to be used for the *Meteorological and Air Monitoring Network* as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be used to operate, maintain, and potentially expand the existing Southeast Texas Regional Air Monitoring Network which includes nine monitoring stations currently at the following locations:

1. Beaumont CAM#2
2. Cove School CAM #C695
3. Mauriceville CAM#642
4. Port Arthur (Motiva) Industrial Site CAM #C628
5. Port Arthur Memorial High School campus CAM #C689
6. Port Neches CAM #136
7. Sabine Pass CAM #C640
8. Southeast Texas Regional Airport CAM #C643

9. West Orange CAM #C9

The pollutants currently monitored at each station are identified in Table 1.1 of the agreement between the Third-Party Recipient and the TCEQ. Additional parameters or monitoring sites may, contingent upon available funding and approval of TCEQ, be added. Operation and maintenance of the ambient air monitoring stations includes canister sampling and gas chromatographs. Ancillary equipment includes sample conditioning systems, meteorological towers, climate controlled equipment shelters, a remote communications system, and electronic data logging capability. Ambient monitoring protocols have been and will continue to conform to applicable TCEQ or U.S. Environmental Protection Agency guidelines.

A TCEQ-approved Quality Assurance Project Plan containing all applicable EPA QA-R5 elements shall be maintained. Analysis of all data collected from these sites will comply with Standard Operating Procedures for the analysis and measurement of Volatile Organic Compounds in Ambient Air. The laboratory data generated by this project will be from a TCEQ accredited laboratory in compliance with state laws and rules regarding use of certified or accredited testing laboratories. For example, the Third-Party Recipient must comply with 30 Texas Administrative Code, Chapter 25, Subchapter A, relating to Environmental Testing Laboratory Accreditation and Certification, as amended.

The SEP Offset Amount will be used to purchase equipment (such as automated canister samplers), hardware, software, and licenses to enable the monitoring, and for the cost of operating, maintaining, and periodically upgrading or adding to these air monitoring stations along with ancillary equipment approved by TCEQ. The data will be validated and sent to TCEQ's Leading Environmental Analysis and Display (LEADS) system. All costs associated with the collection, transfer, and formatting of these data to be compatible with the LEADS system is the responsibility of the Third-Party Recipient. No portion of the SEP Offset Amount will be used for administrative costs or salaries of the Third-Party Recipient. The Third-Party Recipient may use contractors to perform the monitoring project, subject to special conditions concerning costs.

The project will be administered in accordance with federal, state, and local environmental laws and regulations. The Respondent certifies that there is no prior commitment to make this contribution and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

Particulate matter (PM), sulfides (SO, SO<sub>2</sub>), oxides of nitrogen (NO<sub>x</sub>), volatile organic carbon (VOC) compounds, and ambient air conditions are measured at the stations and the data are made accessible to TCEQ and the public. Sites may also provide continuous assessment of benzene, 1, 3-butadiene and styrene. This monitoring was not previously

ExxonMobil Oil Corporation  
Agreed Order - Attachment A

covered by existing ambient air monitoring systems. The data is shared with the Texas Commission on Environmental Quality, industry, and the public at [http://www.tceq.state.tx.us/cgi-bin/compliance/monops/site\\_info.pl](http://www.tceq.state.tx.us/cgi-bin/compliance/monops/site_info.pl).

Continued monitoring in this area of the community will help better understand air quality pollutants and will enable better identification of emission sources. The data will focus on specific chemicals that may raise air quality concerns.

**C. Minimum Expenditure**

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

**2. Performance Schedule**

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP amount to the Third-Party Recipient. The Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Southeast Texas Regional Planning Commission  
Bob Dickinson, Director Transportation and Environmental  
Resources  
Attention: SEP -  
South East Texas Regional Planning Commission  
2210 Eastex Freeway, Beaumont, TX 77703

**3. Records and Reporting**

Concurrent with the payment of the SEP amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Enforcement Division  
Attention: SEP Coordinator, MC 219  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

ExxonMobil Oil Corporation  
Agreed Order - Attachment A

**4. Failure to Fully Perform**

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP amount.

The check for any amount due shall be made out to "Texas Commission on Environmental Quality" and mailed to:

Texas Commission on Environmental Quality  
Office of Legal Services  
Attention: SEP Coordinator, MC 175  
P.O. Box 13088  
Austin, Texas 78711-3088

The Respondent shall also mail a copy of the check to the Enforcement Division SEP Coordinator at the address in Section 3 above.

**5. Publicity**

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

**6. Clean Texas Program**

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

**7. Other SEPs by TCEQ or Other Agencies**

The SEP identified in this Agreed Order has not been, and shall not be, included as an SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.